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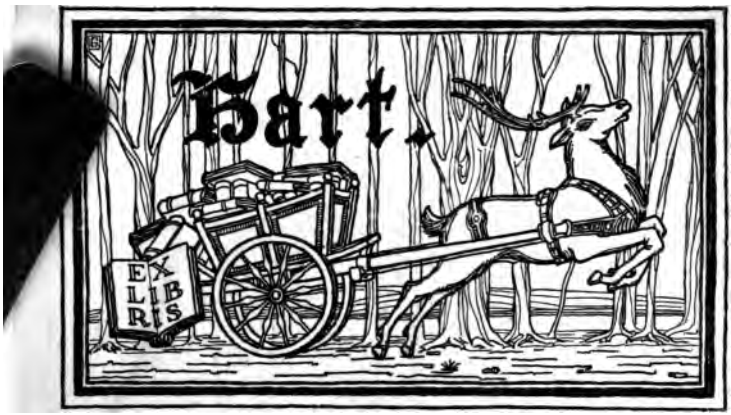

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WITH A WORKING BIBLIOGRAPHY

By

ALBERT BUSHNELL HART

PROFESSOR OF HISTORY IN HARVARD UNIVERSITY

New York

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PREFACE

THIS book does not attempt to present a sketch of the diplomatic history of the United States, nor even to describe all the foundations which underlie the conscious or unconscious policy of the government toward other countries. The full story of the diplomatic relations of our country is recorded, but not yet written. There is, however, so much misconception about the present status of the nation in the councils of the world, and so much heedlessness of precedent and experience, that perhaps there is an opportunity to show that our forefathers and our grandfathers had problems similar to our own; and to explain how they thought that they had solved those problems. It is not my intention to be either an advocate of any particular policy, or a brief-holder for American diplomats; though the most casual reader will see that, with few reservations, I feel pride in the purposes and results of American diplomacy. I mean simply to set down, in a form which may bring out the relations of one event to another, the actual history of some phases of our foreign relations. In this method of treatment it is not possible, nor has it been thought necessary, to avoid mentioning a second or a third time an episode which has already been described. Such a crisis as the Louisiana purchase, for instance, has its part in several different lines of policy, and cannot be treated as a separate

event, complete in itself. On the other hand, the book does not purport to be a history of American diplomacy; many controversies of great import are not recorded here; many essential principles here find no mention. All the chapters of this work are founded on magazine articles; due credit is duly given in the table of contents to *Harper's Magazine*, the *Bond Review*, and the *American Historical Review*, from which they have been reprinted, with revisions, by permission of the publishers.

In preparing the bibliography which forms the last chapter of the book, I have availed myself of the helpful criticism of several friends; and I am under especial obligation to Mr. Andrew Hussey Allen, of the State Department, for supplying titles of many useful publications.

HARVARD UNIVERSITY,
October 1, 1901.

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I

THE UNITED STATES AS A WORLD POWER

A CHAPTER OF NATIONAL EXPERIENCE

1. Tradition of Isolation.

"THERE is a special providence for little children and the United States," says a philosopher. The good-natured satire suggests our American habit of looking upon our history, our political system, and our foreign policy as if they had nothing to do with other nations. We talk of "Old World" and "New World" as though the experience of mankind could be cut up into sections by painting lines on a globe. With this sense of geographical isolation goes a feeling that we have cut loose from the traditions of our ancestors, and indeed that we have no ancestors east of the meridian of Passamaquoddy Bay. Hawthorne understood better the place of his countrymen in history when he called England "our old home." For the sake of enjoying the sensation of being a peculiar people, we are willing to forget the glorious heritage of a thousand years: was not Augustine our saint? and Hildebrand our pope? and William

of Normandy our conqueror? and Elizabeth our queen? and Shakespeare our poet? and Drake our hero and protector when the Spanish Armada bore down on our fathers' shores? The face of this continent is new, but the intellectual, social, moral, and political development of America is simply a part of the advance of the human race. Our character has been tempered by foreign immigration, just as that of our fathers was tempered by Danes, Saxons, and Normans, Scotch, Welsh, and Irish. There never has been a "New World" in the sense that principles have been here developed which were unknown elsewhere, or that the people of America could sit quiet while their cousins in Europe were in danger. We have shared, or rather have inherited, the religious traditions of our kinsmen oversea; we have had their art and literature; we have profited by their systems of education; we have used their inventions; we have learned from their mistakes and successes in government. In return, we have given to mankind the results of our experience in invention, in intellectual growth, in government, and in religious freedom.

Truth as to Isolation.

There is sometimes supposed to be a tradition that in diplomatic relations America is isolated from the rest of the world with which she is intellectually and commercially so closely connected. Historically there has never been such

an isolation: from the earliest colonial times the international forces which moved Europe have affected the Western hemisphere. The settlement of the colonies caused a century of dispute between England and Spain. The Treaties of Ryswick (1697), Utrecht (1713), Aix-la-Chapelle (1748), and Paris (1763) all had important clauses on American territory. The Seven Years' War began in America in 1754 by the act of Colonel George Washington.

When, in the Revolution, the United States first took a place in the family of nations by claiming the rights and privileges of independence, it accepted the duties and obligations laid upon nations by the international law of the time. Nor did the fathers of the republic suppose that their influence was to be bounded by the coast lines of North and South America: their earliest diplomacy was directed to disturbing the existing European balance of power by transferring their strength to the French side; and their physical force actually turned the balance for the time being, and was effective in bringing Great Britain to a humiliating peace, besides showing itself of value for self-protection.

Principle of Participation.

Ever since the United States of America has been in the list of nations, the question when, where, and to what degree to exercise influence in the counsels of the nations has never been

one of prerogative, but of expediency. [illegible] sure, the policy of the United States as a [illegible] power has been carried out oftener by [illegible] the dictation of other powers than by [illegible] them in common action; but the decision [illegible] to act or to stand still, or to remonstrate [illegible] been reserved to the judgment of our [illegible] men.

The key to the foreign policy of the U[illegible] States is not to be found in any formu[illegible] maxim of statecraft, but in deep princip[illegible] human interest. Phrases like "entanglin[illegible] [illegible] "European political system," or "[illegible] [illegible]" are not laws of the ten ta[illegible] [illegible] express national convictions fo[illegible] [illegible] as to what our interests are. [illegible] [illegible] States has usually chosen to ex[illegible] [illegible] international influence chiefly in affa[illegible] [illegible] because there our int[illegible] [illegible] The diplomatic history of the [illegible] [illegible] government has never [illegible] [illegible] anywhere on the glo[illegible] [illegible] sufficient. In such a [illegible] [illegible] 1898, therefore, the U[illegible] [illegible] position, but reasserted [illegible] [illegible] been abandoned — [illegible] [illegible] future policy o[illegible] [illegible] down to the que[illegible] [illegible] national interest to g[illegible]

afield in new enterprises. Some light may be thrown on that inquiry if we collect, analyze, and discuss the instances in which the United States has exercised its latent prerogatives in international concerns. The principal episodes have been the following: (1) The colonial period. (2) The Revolution. (3) Diplomacy of the Confederation. (4) First Napoleonic era, 1793–1802. (5) Second Napoleonic era, 1803–1815. (6) Latin-America to 1865. (7) The Pacific and the East to 1865. (8) European relations to 1865. (9) The West Indies, East Indies, and Asia, since 1870.

2. Conditions of World Power.

If an Aristotle or a Grotius could have been set down just before the Revolution to generalize as to the future of North America, he must have predicted that the New World would alter the history of mankind. Down to the discovery of America the development of the world's history had for many centuries been going forward in a kind of routine: Asia and Africa were cut off by the Mohammedans, and hence the idea of a world dominion died out; while Europe was slowly crystallizing into large and definite units of power.

America a new Element.

The discovery of America brought a new and incalculable element into the plans of statesmen and the predictions of historians, and furnished a new subject for international contests; for, whether divided among Europeans powers

one of prerogative, but of expediency. To be sure, the policy of the United States as a world power has been carried out oftener by refusing the dictation of other powers than by joining them in common action; but the decision whether to act or to stand still, or to remonstrate, has been reserved to the judgment of our public men.

Analysis of Assertions of World Power.

The key to the foreign policy of the United States is not to be found in any formula or maxim of statecraft, but in deep principles of human interest. Phrases like "entangling alliances," "European political system," or "Monroe doctrine" are not laws of the ten tables; they only express national convictions for the time being as to what our interests are. If the United States has usually chosen to exercise its international influence chiefly in affairs of the Americas, it is because there our interests chiefly lie. The diplomatic history of the country shows that the government has never hesitated to assert itself anywhere on the globe if its interests seemed sufficient. In such a crisis as that of the year 1898, therefore, the United States took no new position, but reasserted what history shows had never been abandoned — the place of a world power.

All the discussion on the future policy of the United States really comes down to the question whether it is to the national interest to go far

afield in new enterprises. Some light may be thrown on that inquiry if we collect, analyze, and discuss the instances in which the United States has exercised its latent prerogatives in international concerns. The principal episodes have been the following: (1) The colonial period. (2) The Revolution. (3) Diplomacy of the Confederation. (4) First Napoleonic era, 1793–1802. (5) Second Napoleonic era, 1803–1815. (6) Latin-America to 1865. (7) The Pacific and the East to 1865. (8) European relations to 1865. (9) The West Indies, East Indies, and Asia, since 1870.

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America a new Element.

The discovery of America brought a new and incalculable element into the plans of statesmen and the predictions of historians, and furnished a new subject for international contests; for, whether divided among Europeans powers

or independent, this continent would alter the aims and redistribute the military strength of the nations. In geographical position, in commerce, in the movement of persons, and in intellectual and political inventiveness, the people whose descendants now constitute the United States have from the beginning exemplified the elements of a world power.

Geographical Situation.

The territory of the United States lies athwart a continent: some other countries in the world possess an interior equally fertile, if less accessible; no other has also a frontage on two oceans, with a territory all in a temperate climate. The commercial and strategic strength of the position is immensely greater than that of British America, squeezed into the narrow passage between the Lakes and the inhospitable country south of Hudson's Bay; or that of Mexico, a fringe of unhealthy coast lands, with an interior nearly barren. If Germany, Holland, Switzerland, and North Italy were fused into one country, stretching from the Baltic to the Mediterranean, the geographical position of that country in Europe would be less advantageous than is ours in America. In fact, the geographical position of the United States as the seat of a world power is even stronger than the comparison suggests; for its immense continental area is practically impenetrable by invaders, and yet gives a south frontage which dominates both

the West Indies and South America. Geographically, therefore, the territory of the United States is suited for a world power.

Commercially the United States has from earliest colonial times showed its importance to the world. American fish, masts, pig-iron, and ships were standard articles of commerce for a century and a half. At present our combined imports and exports count up to two billions a year. The United States lies on or near two of the world's greatest highways: it is midway between the coasts of Asia and those of modern Europe, and there is already a considerable traffic from these termini across the American continent; and it is near the diverging lines from the English Channel and the Straits of Gibraltar to the whole coasts of the Gulf of Mexico and of South America, both east and west. Should the Isthmus be pierced by a canal, both the great trade routes just mentioned will be of even greater consequence to the world than they are now.

Commercial Situation.

Forks of the Road.

The greatness of the United States in commerce is due not so much to holding roads as to putting passengers, freight, and carriers upon them. In the movement of persons to and fro across the ocean, the United States has been the focus of the most tremendous hegira of civilized people which the world has ever seen: from 1820 to 1900 more than 19,000,000 persons came to our shores to make their homes here, a

Movement of Persons.

number greater than the present population of Spain; in the last ten years enough people have emigrated to America to found another Belgium. There are now within our limits more Germans and children of Germans than in Bavaria; half as many Scandinavians as in Norway; more English than in Liverpool and Manchester together. And the tide of travel eastward—chiefly visitors—also numbers hundreds of thousands every year.

This tide of travel backward and forward, not only gives to millions of our people, including thousands of native-born Americans, an interest in the lands from which they come; it also gives to foreign countries an interest in us. The most evident tie between the two sides of the ocean is the enormous reciprocal commerce: when the United States exports raw products and manufactures amounting to over $1,300,000,000 in a single year, millions of people must know that America is a vast country; the blue-painted oil barrel, the gay label of the fruit can, the American reaper and locomotive,—all are spreading abroad the might of America.

Movement of Standards.

In unmaterial things the influence of the world on America and the world influence of Americans are equally felt. Emigrants and travellers, books and newspapers, bring European experiences and carry American ideas. Two illustrations of this interdependence may be mentioned: one of the causes of the emancipa-

tion of the slaves was the conviction of the North that the rest of the civilized world was against us; and the success of the United States in federal government has been a lesson eagerly studied by the constitution-makers of Germany, Switzerland, Canada, and Australia.

Industrial inventions fly as fast and as far as governmental. The American telephone rings in Russia, and the Röntgen X-rays penetrate to Alaska. The intellectual life of Europeans and Americans is one, and it is impossible that their political lives should be separated.

3. Colonial Period, 1492–1775.

America has never known a policy of isolation, and least of all in the period of colonization. The three great causes of international conflicts — territory, commerce, and dominion — were all potent in the Western world from the earliest settlements down to the Revolution.

Rival territorial Claims.

England and France came to blows in America in 1613, and fought over territory at intervals till 1763. Spanish claims lasted from 1497 to 1814, and still smoulder on the frontiers of Belize and of British Guiana. Indeed, the Venezuelan question is the last stage of a warfare between the English and the Dutch for the possession of American soil. The Swedes were plundered of their American colonies on the Delaware by the Dutch within eighteen years of their foundation. New York and the Delaware were soon after taken from the Dutch as an incident in a Euro-

pean naval war. English sailors began to fight to get the trade of the Spanish colonies in 1568, and kept the process up much of the time till those colonies became independent in 1823. From the earliest history of civilized America, it has interested and occupied European countries, and reacted on their history.

Rivalries of Trade.

The commerce of the English colonies with the mother country and with the West Indies and Spanish continental possessions disturbed the counsels of Europe. For two centuries colonial commerce led to elaborate systems of legislation by every colonizing country, and was the subject of many treaties, the purpose of every country being to forbid other people to trade with her own colonies, and to enjoy the monopolized trade of others' colonies. Immigration, and especially the carrying of the subjects of one country into the country of another, was then and now a source of great diplomatic difficulty, — as when the French tried to settle in Port Royal in 1563, and the Palatine Germans were brought into New York early in the eighteenth century. America was a favorite resort for irregular traders of all nations and of no nation. Smuggling both into the English colonies and by the colonies into the West Indies was almost a discreet profession, and was practised by no less a man than John Hancock. Pirates of all races and colors lay in wait outside the harbors

from the Rio de la Plata to the St. Lawrence, and proved an international scourge. The slave trade, instituted for the benefit of America, became a matter of fierce international dispute, and it was a victory of English diplomacy when by the Assiento of 1713 the importation of negroes for the Spanish colonies was made an English monopoly. Both the export and the import trade of the American colonies of all nations were European questions, settled in the cabinets of European powers.

Colonial Wars.

In the many wars of the seventeenth and eighteenth centuries the American colonies showed how intimate a part they had in European relations. No accident made the West Indies and the Gulf of St. Lawrence fighting-ground in so many of the naval wars of the eighteenth century: the smaller islands of the group were repeatedly prizes of war; the Spanish coast cities on the Gulf of Mexico were often attacked, and in the siege of Cartagena in 1740 the English colonists took a part, and two thousand of them left their bones to show what it means to war against a tropical climate. Nor was it by mere chance that, while the British, aided by their colonists, took Quebec in 1629 and 1759, Louisburg in 1745 and 1758, and Havana in 1762, no foreign fleet ever held an English colonial port in North America, except New York for a few months in 1673 and 1674.

Cartagena, 1740.

Quebec, Louisburg, Havana, New York.

French and Indian War, 1754–1763.

In the French and Indian War the international importance of America was brought out with more distinctness than ever before. The far-reaching Seven Years' War, in which nearly every European country was eventually a party, began when George Washington fired on the French at Great Meadows in 1754. It gave the colonists the best opportunity they had ever had to show their prowess at sea, and it ended by a territorial rearrangement of America which marked the humiliation of France as a European power; at the same time it cleared up the contest for the possession of America, and set free the Mississippi Valley, so that it could eventually become the centre of a new world power. Said the *London Gazette* in 1765: "Little doubt can be entertained that America will in time be the greatest and most prosperous empire that perhaps the world has ever seen."

4. Revolutionary Period, 1775–1783.

The place which the colonists made among the nations was due partly to their own efforts, and partly to the policy, the arms, and the diplomacy of England. One of the early steps in the American Revolution was the taking over by the Continental Congress of the foreign powers which, till then, had been exercised by the English government; and the little nation at once took a place as a power having world-wide influence. Within three years from the beginning of the struggle the United States had

asserted its place as a belligerent on land, had fitted out a destructive navy, had organized a diplomatic corps, and had made a treaty of alliance with one of the two most powerful nations of that time.

The first evidence of a national life recognized outside the lines of the continental troops was the struggle with the English commissioners to get the treatment due belligerents in arms. When the commander-in-chief of the American forces in 1776 declined to receive a letter addressed "To George Washington, Esq., &c., &c., &c.," he was standing for the military rights of an independent nation. Exchange of prisoners, official communications, administration of prize law, the treatment of privateers, — all these evidences of an international status were at last accorded. The Americans speedily proved what they could accomplish in war by the captures made by their regular and privateer navy. At the beginning of the struggle, John Adams said that he proposed to "let loose upon the ocean" the fishermen of New England; and he was told that "it was an infant taking a mad bull by the horns." These were the days of great enterprises. One merchant of Newburyport, Nathaniel Tracy, owned a fleet of 120 vessels, of which 19 were privateers, and 24 more bore letters of marque authorizing them to capture the enemy's vessels; and his ships

Belligerency, 1776.

Capture and Prize.

brought home prizes which sold even in the confusion of the times for over three million dollars in specie. In December, 1775, Congress ordered 17 cruisers; and these vessels, together with the privateers, in about a year captured 250 English West Indiamen; in 1777 more than 450 British ships were captured, including 160 African traders. Up to 1780 the prize courts of the Cape Ann district in Massachusetts had condemned 818 prizes. No wonder the insurance on English merchantmen went up to twenty-eight per cent.

To be sure, many hundreds of American vessels were also captured; and at the end of the war, out of Nathaniel Tracy's hundred and twenty ships, but twenty were left, and he was bankrupted by his losses. Nevertheless, the new nation showed an unexpected power of inflicting damage on the greatest naval power in the world, and it strengthened the little republic at home and abroad.

Yet it took some time to convince the world that the Americans could protect their own rights. In 1779 three valuable prizes made by John Paul Jones's squadron put into the port of Bergen, and were by the government of Denmark turned back again to the British, and no indemnity could ever be secured.

First foreign Office, 1775.

The next step in establishing the nation as a power was the organization of a foreign depart-

ment. November 29, 1775, was formed a "Committee for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world," which speedily became known as the "Committee of Secret Correspondence," and in April, 1777, was officially styled "Committee of Foreign Affairs." This first Department of State, on December 12, 1775, wrote its first instructions to foreign agents; shortly after, it received a French agent; and on March 3, 1776, it drew up instructions to Silas Deane, our first envoy to a foreign country. In September, 1776, a regular embassy of three — Franklin, Deane, and Lee — was commissioned; and in December, 1776, it was resolved to send commissioners to Austria, Spain, Prussia, and Tuscany.

First Ministers, 1776.

Anybody may "call spirits from the vasty deep": the Confederate States of America, in 1861, got so far as to send ministers abroad; but, for the Continental Congress, the spirits did come when it did call for them. His most Christian Majesty of France held out the golden sceptre. The American ministers, of whom Franklin was chief, were received at first unofficially; but on February 6, 1778, the king sealed his good will by two treaties of alliance and commerce. Besides sympathy with a struggling people, there were reasons of interest in the minds of the French statesmen. They saw in

First foreign Treaty, 1778.

the Revolution an opportunity of bringing about two favorite objects: inflicting a wound on an enemy, and breaking up the English monopoly of trade to the continental colonies. The United States would not have been recognized had it not captured Burgoyne and aimed to capture Clinton; and it would not have been welcomed as an ally had not France had a keen sense of the value of trade with England up to 1775, a trade which might be diverted to French merchants. In any case, the treaties were none the less an admission of the United States into the sisterhood of nations, and on that account were a reason for a declaration of war by Great Britain on France.

The good will of France was expected to decide several other powers to be sisterly to the little Western stranger. Perhaps Congress was too much elated by the new dignity; at any rate, no other European power recognized us till the end of the war. When Lee went to Berlin, Frederick the Great declined to receive him, and intimated that he meant "to go over to the side on which Fortune shall declare herself." In 1780 came the earliest opportunity to join in a European coalition — the so-called "Armed Neutrality" — of Russia, Holland, and the Northern powers, formed to protect their merchantmen against British captures. The United States was ready to take part in this European

Armed Neutrality, 1780–1782.

concert of powers; and sent to Russia Francis Dana of Massachusetts, commissioned "to accede to the convention of the said neutral and belligerent powers, protecting the freedom of commerce and the rights of nations." Russia would not receive him, and our adhesion was not accepted. On the other hand, England put Holland speedily out of armed neutrality, and into armed hostility, by making war on her because of supposed negotiations with the United States.

Meanwhile the Americans, with the aid of their French allies, had made true their Declaration of Independence of 1776, by proving themselves separate. In 1781, while a French fleet staved off the British fleet of relief, a combined American and French army captured Cornwallis at Yorktown, and virtually ended the war. The effect of this practical success was instantly seen in the increased respect paid the United States by all European powers. George the Third, on March 27, 1782, gave up the struggle with the words: "At last the fatal day has come which the misfortune of the times and the sudden changes of sentiment of the House of Commons have driven me to." In the negotiations which occupied the next eight months, the position of the United States was distinctly taken as the peer of England and France, and the superior of the other parties to the war,

Yorktown, 1781.

Negotiations for Peace, 1782–1783.

Spain and Holland. Our envoys, Franklin, John Adams, and Jay, the ablest embassy ever commissioned by the United States, sat almost as arbiters in what was virtually a European congress.

Independence recognized, 1782.

The first triumph was over England. That power long insisted that the recognition of independence should not be made "without the price set on it, which alone could make the kingdom consent to it"; but the Americans refused to enter on any other questions till that point was conceded, and they had the satisfaction of a full recognition, preceding all negotiation in detail.

France ignored, 1782.

The second victory was over France. Instructed by Congress to make no agreements except by the advice and approval of the French government, the three members broke their instructions by unanimous agreement, and thereby secured a safe and speedy peace.

Western Boundaries, 1782.

The third evidence of consequence as a world power was when Spain and France interposed in the negotiations to push the boundaries of the new republic northward and eastward; and, notwithstanding, the line was drawn far to the south and west. As the foreign negotiators gave way, on point after point, well might the Parisians quote the famous tribute to Franklin:

"Eripuit cœlo fulmen sceptrumque tyrannis."

We have long since become accustomed to the birth of new nations: our grandfathers saw the Latin-American powers gain their independence; their sons have seen Germany and Italy and Japan constituted; we have seen Bulgaria and Servia created, and have even been godfathers to a Hawaiian and a Cuban republic. Hence we do not appreciate the impression made on men's minds by the appearance of the new constellation of thirteen stars in the political heavens, nor the reputation which was made by the preliminaries of peace in 1782.

Impression on Mankind, 1782.

5. Diplomacy of the Confederation, 1783–1793.

The first effect, and one of great importance, was the desire of European powers to make treaties, every such treaty being a solemn welcome into the family of nations. Holland came first, and John Adams has handed down memorials of his slow dealings with their High Mightinesses, the States General, and the Grand Pensionary; of the slow-dribbling "*ad referendum*" to the Provinces on every important question. He describes his visits of state to the official residences of the deputies, every one of whom was delighted at his propositions, but must refer them to his home government, where "every city is considered an independent republic." After nearly a year of this stately dealing, on October 8, 1782, Adams secured the desired treaty. Again the opportunity came to enter into a European connection, for Holland pressed

Dutch commercial Treaty, 1782.

Adams to accede to the Armed Neutrality; but the war was over, and he avoided the obligation. In 1783 the Dutch sent a minister to the United States, who with the French minister made up for the time the diplomatic corps.

Other general Treaties, 1782–1785.

Meanwhile, in 1782 and 1783, Austria was urging a treaty in behalf of what is now Belgium; the German ambassador came to talk to John Adams about encouraging German emigration to America; the free city of Hamburg offered free trade; and Portugal and Denmark signed treaties. Sweden in 1783 and Prussia in 1785 went farther by actually making commercial treaties, and in 1784 Thomas Jefferson was sent out with a general commission to make commercial arrangements. The climax was reached when John Adams appeared at the Court of St. James, and was received by George the Third with unexpected good-nature. "There is an opinion among some people that you are not the most attached of all your countrymen to the manners of France," said the king. "That opinion, sire," replied Adams, "is not mistaken. I must avow to your Majesty that I have no attachment but to my own country."

Reception of Adams, 1785.

Strength of the United States, 1783.

We are accustomed to think of the United States of America, as it emerged from the exhausting conflict of the Revolution, as a feeble nation with a very inefficient form of government, and divided within itself. To her neigh-

bors, however, the new republic was a power to reckon with in any political controversies. At the beginning of the constitutional period, in 1789, the United States had a population of but four millions, but that was more than the population of Holland or Sweden, or Denmark or Portugal, or the two Sicilies or Saxony. The commerce of the United States, counting imports and exports, was but forty-three millions, but it was larger than that of Austria, or of the Prussian Baltic provinces. The Revolutionary army had never been more than 18,000 men in the field; but England could not send men enough to destroy it.

To be sure, the Articles of Confederation were faulty; but they described the most effective federal government that had ever been known — a model of flexibility and force compared with the then existing Dutch, Swiss, and German confederations. Congress was inept; but it had in its membership, or in the executive offices to which it appointed, Washington, Jefferson, Madison, Hamilton, Franklin, and John Jay. The state governments were confused, and hardly knew how to maintain their authority; but they were almost the only really vigorous, growing free republics left in the world. We measure the nation during this "Critical Period" by the government that followed the experiment, instead of observing the

reputation of our fathers for happiness, prosperity, and freedom. In the economic conditions of that time the population, trade, and naval strength of the country made it a power, and even a world power. During the next twenty-five years it came to have the second merchant marine in the world, and in the year 1807 the volume of its trade was $246,000,000.

Decline of American Prestige, 1783–1793.

Yet during the ten years 1783–1793, the prestige of the country as a world power declined. The reason is that the powers with whom we made treaties quickly discovered that treaties do not necessarily mean trade. Holland found that she sold few goods, and got payment for them out of the proceeds of money which she herself lent the nation. France was bitterly disappointed that the American merchants went back to British commercial connections. The English, on their side, expected the United States to throw over the French altogether, and give preference to English trade; and having the market, the English government would grant no privileges in home ports. Spain was aggrieved at the notion of colonies setting up for themselves, and found it possible to block the wheels of negotiation by proposing to refuse an avenue to the sea by the Mississippi River. All four of the maritime nations with whom we had most direct commercial and political relations found themselves disappointed and sore.

Hence the great influence which the United States exerted in these ten years was that of example: the Spanish colonies took a leaf from the book of the Revolution; France was delighted with the idea of republican government; the other British colonies began to profit by the protest of the thirteen colonies against too much control. The effect of this silent influence was seen when, in 1789, the French Revolution burst out and enthusiastic French statesmen tried to copy American institutions, even to instituting town meetings in rural France; when Tom Paine and Barlow had seats in the French convention. Wherever in the Western world men were thinking, the influence of the United States was at work.

Lessons in Revolution.

A new danger, and a new opportunity to act as became a world power, was the beginning of the Napoleonic wars. So far in American history the status of the United States as a world power had been that of a poor relation of some great European power: during the Revolution we were allied with France; after the Revolution, when commerce was the principal international question, our commerce went to Great Britain. Said an Englishman to Adams in 1782: "You are afraid of being made the tool of the powers of Europe." "Indeed I am," answered Adams. "What powers?" "All of them. It is obvious that all the powers of

6. First Napoleonic Era, 1793–1802.

Need of Isolation.

Europe will be continuously manœuvring with us to work us into their real or imaginary balances of power."

Neutrality, 1793.

Adams's prophecy was realized in 1793–1794, when the United States made the first attempt to carry out a policy in which the deciding consideration should be the welfare, protection, and honor of the United States. To take up and maintain a position of neutrality, amidst the clash and danger of European wars, was in itself a proof that the real independent strength of the nation was greater than it had been even in the bold period of the peace negotiations of 1782. In issuing his proclamation of neutrality in April, 1793, Washington was therefore declaring the right of the new nation to exercise the sacred national privilege of determining a policy for herself. It was never Washington's purpose to withdraw his country from an attention to or an influence on foreign relations; but to fight or to keep peace for the interests of America, and not for the interests of third parties.

Washington's policy was shown to be the nation's policy, when, in 1793, Genêt so blindly tried to make the United States a base of naval operations against the British; it was shown

Jay Negotiation, 1794.

equally in 1794, when England by unjustified captures of vessels and impressment of seamen expressed her contempt of neutrals. It was shown in 1795, when the country took advantage

of a fortunate crisis in Spanish affairs to secure a commercial treaty and a settlement of boundaries with Spain; it was shown in 1798, when the French government refused to receive our envoys unless they should buy their way to a treaty, and the United States went to war with France. The intention to use force was enough to bring France to a peace in 1800; and the century closed with a wholesome national self-confidence, and the respect of foreign countries.

Spanish Treaty, 1795.

French War, 1798–1800.

On the whole, the reputation of the United States as an independent power, and not a satellite, grew till the end of the first ten years of the Napoleonic wars, at the peace of Amiens in 1802. An enhanced reputation was gained from 1802 to 1804 by the spirited treatment of the Barbary States by the United States: England, France, Spain, and the United States for many years humbly paid backsheesh to the pirates; the United States was first of all nations to try on the pirates the effect of iron and lead instead of gold and silver.

7. Second Napoleonic Era, 1803–1815.

Barbary Wars, 1802–1804.

At about the same time the consciousness of national power was renewed by the annexation of Louisiana in 1803.[1] So far as Napoleon was concerned, he simply made up his mind that he could not spare the funds necessary to occupy Louisiana, and it was pleasanter to sell it to the United States than to have it seized by a British

Annexation of Louisiana, 1803.

[1] See Chapters v, vi.

fleet; but by the annexation the commerce, the pride, and the international consequence of this nation were all increased.

Just when the United States had become established as a power of importance, came the second period of the Napoleonic wars; and from 1803 to 1812 the country took the lowest place among the nations which she has ever occupied. Conditions were cruelly hard for small maritime powers. France and England were grappling in a struggle which meant the destruction of one or the other, and both powers enjoyed capturing American merchantmen; while American shipowners were adepts in evading their neutral duties. During these nine years of peace with Europe, English cruisers and privateers captured 917 American ships, and impressed about 3000 American sailors; and the French took 558 ships. Many of these vessels were subject to capture for various violations of international law; more of them were seized under Orders in Council and Decrees, which virtually authorized the robbery of the property of innocent neutrals, bound on lawful voyages, each belligerent trying to inflict a serious injury on its rival through a great injury to a third power. Great Britain added an indignity which cruelly wounded the national pride, by the impressment of seamen. Napoleon, on the other side, showed a certain sense

Neutral Trade, 1803–1812.

Captures.

of the humors of brigandage, — as when he confiscated vessels on the ground that the United States had forbidden them to leave port, and he was therefore enforcing American laws.

The reasons why the United States submitted for nine years to such aggressions are many: one was Jefferson's confidence in the Embargo — a device by which the Americans destroyed their own trade so as to cut off supplies from the belligerents, who could get on without them; another was the smallness of the navy; another was the fact that New England shipowners, who had suffered most from foreign depredations, were making so much money that they were not disposed to fight. The main reason was the exasperation of Napoleon and of the English, which made them willing to incur later decades of national hatred in America if they could damage each other. Notwithstanding all aggressions, the carrying trade enlarged, the imports ran up and the exports increased enormously, till the United States itself cut them off.

Prosperity notwithstanding Aggressions.

Though the War of 1812 was fought for a principle, it was begun with little foresight and preparation. The principle was the right of a neutral to carry on peaceful trade with both belligerents; unfortunately, the United States waited till the European system of commercial

Effect of War of 1812.

restriction was on the point of falling to pieces by its own weight, and then made war on the power which on the whole had done the least harm. Begun without preparation, it abounded in humiliations, crowned by the capture of Washington by a few thousand troops; and it ended with the occupation by the enemy of Oregon and part of the coast of Maine. Yet the War of 1812 really showed the right of the United States to the name of world power; for the result was to establish three conclusions with regard to the status of the United States as a military power: the first was that its army was very ill contrived for offensive warfare, on account of the inefficiency of the militia; the second was that the country could not successfully be penetrated to any distance, since the militia, when behind defences, was immovable, — hence the Duke of Wellington gave it as his professional opinion that it was not worth while to try invasion from Canada again; the third was that the navy took the world by surprise, just as it had done in the Revolution, and was to do again in the Civil War of 1861, and in the Spanish War of 1898.

Enhanced Reputation of the United States, 1812–1815.

Our naval force of twenty vessels captured 300 prizes, while the privateers took 1400 prizes; hence a pressure for peace was brought to bear on the British government by shipowners, who found that the insurance on vessels crossing

Peace of Ghent, 1814.

from England to Ireland rose to thirteen per cent. In September, 1814, the Glasgow merchants resolved that "the successes of the American privateers have proved injurious to our commerce, humbling to our pride, and discreditable to the directors of the naval power of the British nation, whose flag till of late waved over every sea and triumphed over every rival." And the capture of five British men-of-war by American cruisers of about equal tonnage so excited the pride of this nation, that it forgot the repulses on the Canadian frontier, the occupation of eastern Maine, the capture of Washington, the 1700 American merchantmen made prizes by the British, and the capture or blockade of every ship of war; and we have ever since looked upon the War of 1812 as a period of national glory.

Effective Negotiations, 1814.

The sense of superiority over the English war force, man for man and ship for ship, was carried into the negotiations of 1814. Surely the United States might be pardoned a feeling of elation when it came to the proceedings of the peace commission. The experience of 1782 was repeated. Russia courteously acknowledged the place of the United States by offering mediation. As in 1782, Great Britain proposed hard terms and gradually withdrew them. John Quincy Adams, Gallatin, Bayard, Clay, and Russell made an effective commission. The nation of eight

millions, unable to keep up an effective army, without a single man-of-war at sea, got back its territory and its fisheries; though it gave way on impressments, it prevailed on every other important point — commerce, the navigation of the Mississippi, payment for slaves. It had taken forty years for the United States to vindicate its right to be treated by England and France as a sister nation, dependent on neither. The Peace of Ghent, negotiated in 1814, was a public acknowledgment that the country had come to its majority at last. Thenceforward no one has ever questioned her status as an independent member of the Association of World Powers; and least of all has it been questioned by the mother country, England.

8. Latin-America, 1815–1865.

For half a century the world power of the United States was exercised chiefly in the Americas. From 1815 to 1854 there was no general European war, and to none of the six European contests which have since followed during the last forty-five years has the United States been a party. In the modern world there is a division of labor in international tasks, not every world power has the same mission: Russia is the arbiter of Northern Asia, and apparently of much of Southern Asia; Holland finds her sphere in the Indian Ocean; Switzerland maintains rugged democracy in the midst of monarchy; England is the world's protector

Our Mission.

of the Open Door; to Germany falls the delicate adjustment of the conditions of peace in Europe. The international task of the United States during the forty-five years from 1815 to 1860 was to watch over the two Americas. That task did not exclude her from a share in the world's work; she assumed it because it was for the time her chief political interest.

Foundations of our Policy in America, 1815–1823.

The foundation of the policy of the United States during the last three-quarters of a century has been much misunderstood. It has been chiefly an American policy, not because America was a sacred precinct, but because the greatest benefits to both Anglo-Saxon and Latin Americans came within their own hemisphere; the United States kept out of European complications, not because they were in themselves wicked, but because it made little difference to her which way they went. In other words, the relations with Spain, with Cuba, with Mexico, with South America and Central America, came from paramount interest; and as interests have altered, our policy must inevitably alter also. Here comes in the positive effect of the War of 1812: it induced European nations to believe that the United States would stand by its preferences if necessity came.

The first element in our special American policy was the drawing of the new southern and western boundary, a process in which Spain

Territory from Spain, 1803–1819.

was forced, by a pressure little short of war, to leave us Louisiana and to cede the Floridas. On the other hand, Spain (succeeded by Mexico) was permitted by the Treaty of 1819 to hold Texas, and Cuba was for many years practically guaranteed to Spain. When the Spanish and Portuguese empires in America broke up — from 1803 to 1825 — the United States saw arise, without any interference on our part, the new nations of Latin-America, — Venezuela, New Granada, the United Provinces of Rio de la Plata, Chile, Peru, Mexico, various kaleidoscopic Central-American states, Brazil, Paraguay, and Uruguay.

Interest in Latin-America, 1815–1823.

No one could mistake the feeling of national sympathy with the republics which fashioned their state papers on the model of our Declaration of Independence and Constitution, and which allowed a trade theretofore forbidden. The policy of the administration advanced steadily: first, simple neutrality in what was considered a civil war between Spain and her daughter colonies; then, beginning in 1816, the sending of commissioners to report on the condition of the new Latin-American communities; then the despatch of "commercial agents" to care for American trade; then, beginning in 1822, the recognition of the independence of our new neighbors, and the commissioning of diplomatic representatives.

Now was raised a vital question of paramount interest to the future of America, and the United States found itself opposed to one of the most powerful international organizations in history. In these days of attempted European concert, it may be well to recall the only time in this century when the affairs of the world were conducted by a committee of sovereigns; and to see what a service the United States rendered by remaining a world power instead of a section of a world coalition. The so-called Holy Alliance of 1815, into which every European potentate of consequence, except the Pope and the Sultan, entered or adhered, was in effect a system of mutual political insurance to prevent the revolutionary spirit from again springing up from its root. Nothing could be more pious than the language of this document: "The sole principle of force whether between the said governments, or between their subjects, shall be that of doing each other reciprocal service, and of testifying the mutual good will with which they ought to be animated, to consider themselves all as members of one and the same Christian nation; the . . . allied princes looking on themselves as merely delegated by Providence to govern branches of the one family." John Quincy Adams said that the Holy Alliance was "considered by this country as a mere hypocritical fraud."

The Holy Alliance, 1815.

Proposed Intervention by Europe, 1820–1823.

Perhaps the Holy Alliance has been maligned: it was almost identical in spirit with the present "Concert of Powers," and like its modern prototype had for its main object the preservation of the *status quo* by the combined armed force of Europe.

Even when the principle was applied by the suppression of the Neapolitan and Spanish revolutions of 1820, the United States stood observant but unmoving; when in successive Congresses of 1818, 1820, 1821, and 1822, agreements were made for continuing the system of repression, America had nothing to say; but when in 1823 it was proposed to call a congress to consider how to recover Spain's American colonies, the United States took alarm. Some suggestion was made that the United States join in the congress, which plan would have tied her hands in advance.[1]

Canning on the new Epoch, 1823.

George Canning, the English foreign minister, asked our envoy, Rush: "Had not a new epoch arrived in the relative position of the United States toward Europe, which Europe must acknowledge? Were the great political and commercial interests which hung upon the destinies of the new continent to be canvassed and adjusted in this hemisphere without the coöperation or even knowledge of the United States?" Canning offered to join the United States in a

[1] See § 69.

declaration which would forever serve as notice to Europe that the system of mutual brotherhood did not apply to those who had not joined the syndicate.

Ten years had brought about a wonderful change in the British estimate of America. What Canning proposed was practically a joint hegemony in America, a headship of all the other American powers by the two largest American continental states. Instead, John Quincy Adams chose a policy which Monroe expressed in his celebrated message of 1823,[1] — the position of declaring that the United States could not permit third parties to intervene in America to subdue infant communities which had proved too strong for Spain.

Monroe's Doctrine, 1823.

The Monroe doctrine instantly did its work of impressing upon foreign nations that international influence must be based on direct interest, and not on a mere desire to aid third parties; and the Latin-American countries have ever since understood that in case of aggression upon them by European powers the United States would help them out, not because Monroe thought that a good policy, but because it is to the manifest interest of the United States. From 1823 to 1845 there was little to do in foreign affairs. It was a period of peace in Europe and America. When, by the annexa-

Doctrine of National Interest.

[1] See § 69.

Desire for Annexation, 1845–1848.

tion of Texas in 1845, the United States went forward to its second great period of annexations, it asserted its privileges and threatened the use of military strength against the only power in a position to dispute the appropriation of new areas in North America. It was undeniable that Great Britain was an American power, and had great interests. It was equally undeniable that the United States had all its forces on the ground, and no distracting interests in other parts of the world. Hence, in all the debatable territory England gave way. Texas was annexed without opposition; Oregon was divided; California was conquered.

Clayton-Bulwer Treaty, 1850.

When it came, however, to a great commercial question, that of an isthmus canal, England and the United States, the two powers which then had the largest carrying trade, came to an agreement in the Clayton-Bulwer Treaty of 1850, by which they jointly guaranteed the neutrality of the canal. Thus the United States at the same time asserted its own place as a world power, and admitted the existing status of England as an American power.

Expansion.

During the fifties the United States was repeatedly reminded that power brings with it a moral responsibility. When it stretched forth its hand to take Cuba or Central America, its own people bade the government forbear extension of slave territory at the expense of feeble

neighbors. Even the profligate administration of Buchanan could not be wholly a law unto itself.

Invasion of Mexico, 1860-1867.

During the invasion of Mexico by the French, from 1860 to 1867, the limits of the policy of the United States in America were plainly seen. The so-called war was really a foray inspired by France, in which the United States refused to join, and from which England and Spain shortly withdrew. The United States repeatedly protested against the French occupation, never on the ground of the Monroe doctrine, always on the ground of material and moral interest. Remonstrance failing, at the end of the Civil War the government threatened force against what was supposed to be the strongest military power in the world, and Napoleon III grudgingly withdrew. Whereupon the United States left the Mexicans to reorganize their government as they might choose, and has never protested against the creation of the present Mexican native monarchy, disguised under the forms of a republican federation.

9. Pacific and the East, 1785-1865.

While pursuing a policy of leadership rather than of domination in America, the United States has for a century extended an influence westward to Asia. Four obstacles cut off the English colonies in America from the golden East: English control of the East India trade to America; the vast distance; prohibitions of

trade by Asiatic powers; and exclusion of English vessels from Dutch, Spanish, and Portuguese colonies in the Indian Ocean. The Revolution set the Eastern trade free. In 1785 the ship *Empress of New York* came home to enrich the owners with the profits of the first direct voyage to China: a trade in ginseng and furs was begun, which even Chinese sternness could not repel. Indeed, the settlement at Astoria, which proved to be one of the most significant links in our title to Oregon, was due to the establishment of the fur trade there in order to supply the Chinese markets. From that time on there was a profitable direct trade to India, China, Arabia, Persia, and the coast of Africa; and shipowners like "King Hooper" of Marblehead built them observatories to watch for their Indiamen coming home. No Asiatic colonies were formed by the United States; but commercial houses were founded in Eastern ports, and smart young Yankee supercargoes and ship-captains made fortunes for their owners and something for themselves. Our vessels shared the scanty privileges of Asiatic ports, and took the international risk of pirates.

Opening of Asiatic Trade, 1785–1844.

During the first half of the nineteenth century the Americans made one settlement — the Hawaiian Islands — which perhaps may prove to be the beginning of a Pacific empire; and thereby involved our country in the interna-

Hawaii.

tional squabbles and responsibilities of the Pacific. In 1851 a great effort was made to annex the islands, the native rulers consenting, or rather insisting. The United States refused annexation, but promised protection. The islands remained virtually a kind of dependency down to the annexation in 1898.

To reach the ports of Asia was one thing; to sell our exports there was another. The trade of China and Japan had been the quest of travellers and merchants from Marco Polo down, — Cipango and Cathay were words which Columbus rolled under his tongue like a sweet morsel, — and later ambassadors of Russia, Holland, and England kotowed and grovelled before the Son of Heaven, or his representative, and asked trade of his empire. The Chinese nut was cracked by Great Britain in a rough fashion, without any of the fierce international diplomatic contests which mark the present stages of the Chinese question. The Chinese refused to buy English goods or smoke English opium, whereupon the English smashed in the gates of China, and compelled the opening of certain "treaty ports." Without being a party to this short method of negotiating commercial treaties, the United States profited by it; and in 1844 Caleb Cushing was sent as our first diplomatic representative to China, and obtained a favorable treaty.

Chinese Treaty, 1844.

The next fifteen years was the happy time for American shipping. The stars and stripes were seen on every sea, and by and by they appeared in the harbor of Nagasaki, Japan, where, in 1854, Commodore Perry secured a commercial treaty, by much the same diplomacy as that of England in China. The United States was the first of the nineteenth-century powers to open up Japan, and she has always been proud of having introduced Western civilization to the most hopeful of Asiatic nations.

Japanese Treaty, 1854.

The fifties and sixties were not favorable decades for planting American colonies, and the Asiatic trade for which such efforts had been made lost much of its importance. Down to 1880, therefore, the United States made no advances in the Pacific, and up to the occupation of the Philippines in 1898 looked on as a spectator at the contests, treaties, and combinations of European powers in the East.

10. European Relations, 1815–1865.

Having been at war with no European nation between 1815 and 1898, and having no interest in European territory, the international questions which have arisen chiefly concern commerce and the status of individuals. From 1815 to 1835 the United States stood for a steady principle — that of getting rid of the remains of the navigation acts of European countries. These commercial discriminations were finally renounced in a series of commercial treaties.

During this period the United States never had what would now be considered a high protective tariff, and in 1854 it made a reciprocity treaty with Canada. The tendency after 1840 was to go into the system of free trade, which then seemed likely to prevail all over the Western world.

In only two cases the government showed a disposition to push American principles upon Europe. When, in 1841, the five great European powers united in a treaty for the regulation of the slave trade, our minister in Paris, Lewis Cass, took the responsibility of a public protest, on the ground that the object of the treaty was to show his government in a bad light. In 1848, the revolution year, Hungary revolted from Austria, and President Polk went so far as to send a special commissioner to see whether there was ground for recognition of the seceders; the act gave great offence to Austria; and in 1850, in a correspondence with Baron Hülsemann, Austrian representative, Daniel Webster let the eagle scream. Shortly after this Kossuth, the Hungarian exile, came over, was received in state by both Houses of Congress, and it really looked for a time as though the United States meant to stand before the world as a proselyting power.

Quintuple Treaty, 1841.

Hungarian, Revolution, 1848.

Hülsemann, 1850.

In the fifties arose several international questions in which the United States took a decided

stand as one of the sisterhood of powers. Ever since the Middle Ages the Danish government had levied duties on vessels passing through the straits into the Baltic; the only logical ground was that of defence from pirates, and for many decades that ground had disappeared. The United States therefore took the lead in protesting; European powers then took the matter up, and in 1857 held a kind of congress, and made a joint agreement to compound the duties by paying a lump sum, of which $900,000 was assigned to the United States. Our government refused to share in the congress or its findings, and made a separate settlement with the Danes. In effect, the American republic was standing for the principle of free navigation of the open seas in behalf of all nations.

Sound Dues, 1657.

Out of the Crimean War two questions came up indirectly in which the United States asserted its international dignity. The first was a breach of neutrality: the British minister was supposed to have connived at the enlistment of men in this country, and was therefore dismissed by the administration of Pierce. At the end of the war, in 1856, again the United States refused to join in or to accept the results of a European congress. The great European powers, as a part of the settlement at the end of the Crimean War, agreed to abolish privateering; but the United States, though specially

Crimean Neutrality, 1854.

Congress of Powers, 1856.

invited to accede, refused on rather technical grounds.

So far, since the end of the War of 1812, the United States had taken part only in such international questions as it chose to touch; by the Civil War diplomacy was thrust upon us. Notwithstanding the inexperience of the government in such questions as belligerency, blockade, neutral rights, and contraband, the old principle of "hands off" for neutrals was successfully applied. Somehow Lincoln's administration worried through the ticklish difficulty of treating the Confederate States as simple insurgents and hence not entitled to an international status, and yet holding foreign nations responsible for the limitations imposed on neutrals in a regular war. It was not possible to prevent the recognition of the belligerency of the Confederacy,—indeed our own government practically recognized it,—but it was possible to do the world several services by insisting that independence should not be recognized before independence was assured, and by protesting against the building of war ships for the enemy in neutral ports. Charles Francis Adams's persistent, "Your Lordship will observe that this is war," put the principle in a nutshell. In military operations, but especially in the blockade, the United States showed the physical force of a world power: with an improvised navy to

Diplomacy of the Civil War, 1861–1865.

shut up three thousand miles of seacoast, so that at last scarce a port was open, was the work of a great naval power.

Doubtful Precedents, 1861–1865.

On some points the United States put forward claims during this period which were not justified by international law, and which were even contrary to the long-established policy of the nation. The Confederate envoys taken in the *Trent* were released on a technicality — but really because, as Lincoln put it, "we must stick to American principles concerning the rights of neutrals." The seizure of vessels bound to Mexican ports on the ground that the cargoes were destined eventually for the Confederacy — the so-called "continuous voyages" — set up a dangerous principle, which may yet return to plague the United States. The real lesson for the world from the Civil War was the strength, vitality, and power of self-preservation of the republic. So long as slavery divided the nation it could neither perform its own tasks nor take its rightful place among nations. Having cast the beam out of its own eye, it might see clearly the mote that was in a brother's eye.

II. West Indies, East Indies, and Asia, 1870–1900.

When people speak or write of the present trend of our foreign relations as a party manœuvre, or a fit of national dementia, they turn their backs on the history of the century, and especially on the events of the last thirty years. Whether welcome or unwelcome, it is a truth

as well verified as the celebration of the Fourth of July, that the United States has for years been in the habit of mixing in world politics whenever it felt that its interests were involved.

With Europe there have been few opportunities for American influence during the last thirty years. Disputes and treaties over the naturalization of immigrants, and over tariffs; international agreements as to the rights of the road at sea, postal service, and telegraphs,— these have been the principle subjects of diplomacy; and in such subjects Costa Rica and Ecuador are admitted on equal terms with ourselves. We refused in 1885 to be bound by the European conference on the Congo Free State, and have reluctantly kept out of the settlement — or rather the neglect — of the crisis in the Ottoman Empire. But in the Chinese imbroglio of 1900 the United States has set an example both of readiness to defend her colonies, and of unwillingness to seize territory.

Congo Free State.

Turkey.

China.

In American questions the consciousness of a special international function has shown itself a dozen times since 1867. The first evidence was the scheme of annexation in the West Indies, put forward in 1867–1869. In these plans, however, the American people took so little interest that St. Thomas and San Domingo were allowed to slip away, although both islands were eager to come into the Union. Alaska was annexed,

Schemes of Annexation, 1867–1872.

and though long neglected, it proved to be a centre of international complications: stretching far toward the mainland of Asia, it makes us parties to all North Pacific quarrels; and the seal fishery proved so valuable as to lead to a claim of control over seals in the high seas, which involved us in negotiations with Russia, Japan, and England, and, after threatening war with Great Britain, resulted in the Paris commission of 1895 to arbitrate the question of seal-catching in the open sea.

Cuban Intervention, 1873.

The Cuban War of 1868 to 1878 compelled the United States to assert its position as a world power toward Spain, and caused President Grant, in 1873, to make the novel proposition of joint intervention with European powers. In the Chilean-Peruvian War of 1877–1881, the United States at first took the attitude of an arbiter of the terms of peace, but fortunately withdrew from a position which, if rigidly maintained, would have made it necessary to police all Latin-America; and in the Pan-American Congress of 1889 the attempt was made to secure a kind of American concert. Complications with Chile in 1890 left that country feeling sore; and there does not appear to be any Latin-American power which would for a moment admit that its action could be coerced by us, although they are all glad to have the United States push back their adversaries.

Arbiter in South America, 1881.

Chile, 1890.

The most significant incident of the period is the controversy over Venezuela. The issue was a prolonged boundary controversy between Venezuela and the British colony of Guiana, of which nobody will ever know the merits; for the American commission made no finding, and the arbitration of 1899 does not set forth the ground of the decision: but we do know that the object of dispute is of no great value; the territory is low and poisonous; the Europeans who live on it are but a few hundred; and it is almost as distant from New Orleans as Liverpool from Newfoundland. Venezuela, 1895.

Whatever the distance, in December, 1895, President Cleveland threatened war on Great Britain unless the question were forthwith submitted to arbitration. Secretary Olney's published argument was to the effect that the Monroe doctrine forbade the seizing of disputed territory; that the United States was paramount in America; and that foreign colonies ought to cease in this hemisphere. Measured by the test of national interest, the interposition of the United States was unreal, and the published motives insufficient. Though Great Britain conceded the arbitration, no national policy of ours can ignore the fact that by the possession of the Dominion of Canada and Newfoundland, of West India Islands, of Belize and Guiana, Great Britain is also an American power, and

can be dispossessed of her territory or her interests only by war.[1]

Cuban War, 1898.

The latest phase of our influence in America is familiar to everybody. In 1898, moved partly by humanity, but more by manifest national interest, the United States compelled Spain by force of arms to leave Cuba to the Cubans, and to cede Porto Rico outright; and nothing can be more certain than that we shall henceforth insist on a naval supremacy in the West Indies, and that Cuba will remain substantially an American protectorate.

America in the East.

In the Pacific and the East, as in the West, intervention and conquest are only a larger development of an old-time policy, by which, in the face of bitter opposition at home, there has been a steady expansion of interests, and consequently of new reasons for exercising the power of the country. Toward China, from 1881 to 1899, we assumed the contemptuous attitude of other Western powers — sweeping treaties aside when we did not like them, and cutting off immigration. Toward Japan we have felt a benevolent friendship, till we thought there was a conflict of interests over Hawaii. In Samoa we have had one of our few experiences of concerted diplomacy. If to be coregent of seventeen hundred square miles of Pacific island with England and Germany makes a world power, we had that

China, 1881–1899.

Japan.

Samoa.

[1] See §§ 70, 74.

dignity; and that is all that we got out of the tripartite arrangement. The sole possession of Tutuila with its harbor of Pango Pango, and of Hawaii, makes us necessarily interested in all Pacific questions; while the possession of Manila leads us into the thick of the Eastern Asiatic contest, and thus must inevitably bring us into new complications with the great powers of Europe.

Hawaii.

Philippines.

Reviewing the history of American foreign relations, it seems clear that the United States has from its birth been in both hemispheres a true world power — in military strength, in influence on other nations, in a tendency to extend its influence and power. It is this status which has given such success in negotiating treaties and in settling disputes; but the government has regularly chosen its own occasions and its own methods of interference. The power of the United States has usually been in reserve, but not in isolation; and whenever the interests of the nation seemed sufficiently affected, our place has been made manifest. The method has almost always been that of separate, independent remonstrance. Though invited to take part in European congresses, or to join in their action in the English negotiations and also in the Dutch negotiations of 1782, in Spanish affairs in 1823, in the Quintuple Treaty of 1843, in the Declaration of Paris in 1856, and in the African congress

12. Review of World Power.

of 1885, the government has always refused; the only case of joint conference on vital matters previous to 1900 was that of 1889 on Samoa.

Cause of Spirit of Expansion.

The disposition of the nation to play a great part in the world's affairs is not, as many people seem to think, simply the work of presidents or consuls or congressmen; it is the natural tendency of a people which has a facility for forgetting the early defeats and humiliations of its history, and which feels like proving its own vast power. To moralize upon such a tendency is not the purpose of this discussion. The United States has heretofore found little occasion to assert its dignity as a world power: our strength is unquestioned — and where, as in the Samoan and Venezuelan question, the nation appeared to have a strong interest, no other power has been willing to stand in the way.

Home Problems.

When we consider our own unsettled home problems we are dismayed at taking a share in the conduct of the world's affairs. With irresponsible despotisms in many of our great cities and some great states; with an ever present race antagonism of our own making; with millions of people in the Southern mountains and the remote mining camps of the Klondike, and of nearer regions, who are as far from real modern civilization as the Filipinos; with mediæval mob laws and torture of prisoners, — one would think that we had plenty of space for the national

energy within our own boundaries. Why go far afield to form new colonial relations such as must increase the points of friction and involve us in other people's quarrels? Why spend on Cuba and Porto Rico, Guam, and the Philippines, men, money, and vital energy, which must be withdrawn from the pressing needs of our own communities? New tropical colonies mean large expenditures of every kind, and — judging by the experience of other nations — they will bring small annual returns and much vexation of spirit.

The inevitable.

If this book accurately states the history of our external policy, it will be seen that annexations, interventions, colonies, and international influence are not new factors in our national life. The drift of a century has suddenly proved to be a current. The proximity of Spanish and Latin-American lands, and especially of Cuba, has long since made a quiet, self-contained national life impossible. The advance into the West Indies is as inevitable as it was into Texas and California. For fifty years there has been also a tendency to establish national power in the Pacific. We cannot avoid direct relations with European powers; such relations spring out of our nearness to Europe, measured by time and difficulty, out of the growth of international trade, the movement of emigrants, the interplay of literature and of institutions.

If it be urged that in international councils even great powers sometimes play only second fiddle, the only answer must be that it is the privilege and glory of a great democracy to make its own choices — even its own mistakes. Who can doubt that the purpose of the American people is not only to make the nation felt as a world power, but also to spread Western civilization eastward? Perhaps we have yet to learn the unyielding inertia of the East; doubtless we have some disillusionments before us. The diplomacy of the United States has not been a series of triumphs, it has included many errors and some injustices; but now that slavery has ceased to poison our foreign policy, the general tendency of American expansion is toward human freedom. May the American nation be like Thomas Hooker, founder of Connecticut, of whom a contemporary said, "He had a temper like a mastiff dog with a chain — he could let out his dog, and he could draw in his dog!"

Spirit of Civilization.

II

THE EXPERIENCE OF THE UNITED STATES IN FOREIGN MILITARY EXPEDITIONS

13. Analysis of Military Expeditions.

In 1898 three expeditions of United States military and naval forces were directed to different colonial possessions of Spain. Such movements, however justified by national interest, seem at first sight abnormal: that a peaceful Christian nation should despatch fleets, seize islands, send troops, subvert long-established colonial governments, and distribute dynamite shells among malcontents, — all this seems to many minds to have been an aggressive departure from our national policy.

Precedents.

We Americans live so fast that we run away from our own history; we send men, ships, and guns to the Caribbean Sea, the Atlantic, the Pacific, and the Indian Ocean, without stopping to consider whether this is the first or the twentieth time we have organized such expeditions. Yet the history of the United States abounds in precedents of armed interventions and occupations, from which we may learn something of the occasions for such warfare, of the difficulties of

the process, and of the method of administering foreign territory after it has been seized. So far from the expeditions of 1898 being abnormal, an examination of the diplomatic and military records of the United States shows more than sixty previous instances of actual or authorized use of force outside our national jurisdiction; in about forty of these, military or naval force has been used or displayed; about thirty times there has been an occupation of territory, longer or shorter; in a dozen cases some of the territory thus affected has been eventually annexed to the United States.

Limitations.

In fact, the difficulty in treating the subject of military expeditions is not to find instances, but to exclude mere suggestions and threats, so as to consider only those cases in which the responsibility of using force outside our own territory has been distinctly assumed by some public authority. No attempt will be made to discuss private filibustering expeditions, or the use of force within our boundaries, whether against Indians or insurgents or organized rebellion. We shall not go beyond the temporary military administrations set up in conquered regions till the will of the home government could be ascertained. The important question of the permanent colonial governments established by the United States in annexed territory will be reserved for a later chapter.

With these limitations, the story of the armed interventions of a century and a quarter may be conveniently considered in seven periods: (1) Military expeditions and occupations in the Revolutionary and Barbary wars, 1775–1815. (2) Expeditions and occupations for territorial expansion, 1797–1821. (3) Relations with European countries, 1822–1835. (4) Aggressive expeditions, 1836–1850. (5) Expeditions become a policy, 1850–1860. (6) Relations with American neighbors, 1861–1872. (7) Commercial and philanthropic interventions and expeditions, 1873–1898.

14. Revolutionary and Barbary Expeditions, 1775–1815.

We are accustomed to think of the war of the Revolution only as a defensive struggle. Our forefathers did not so regard it; for before Boston Harbor was cleared of the invader they had sent a double expedition to seize Canada, and later made three other invasions of enemies' territory. In June, 1775, Montgomery was ordered to advance into Canada *via* the Lake Champlain route; in September Arnold was sent across the wilderness from the coast of Maine. The Americans took Montreal, and the whole open country was at their mercy; but a united attack on Quebec failed in December, 1775, and Montgomery was killed in the assault. Notwithstanding the capture of every strong place in Canada except Quebec, and the occupation of the country for ten months, the Ameri-

Canada, 1775.

can army retired in July, 1776, with heavy losses.

Some of Washington's instructions to Benedict Arnold as commander of the forces directed against Quebec might serve a Dewey or a Wood: "You are to endeavor to discover the real sentiment of the Canadians toward our cause. . . . You are to conciliate the affections of these people and such Indians as you may meet with. . . . Check any attempt to plunder. . . . Spare neither pains nor expense to gain all possible intelligence. . . . You are to protect and support the free exercise of the religion of the country." The Continental Congress gave orders to establish "Associations," to form a "Provincial Assembly," and to choose "Delegates to Congress."

Northwest, 1778–1779.

It was otherwise in the second foreign expedition of the Revolutionary War — George Rogers Clark's invasion of the Northwest. With a force of about two hundred men he descended the Ohio in 1778, and took the little posts of Kaskaskia and Cahokia. He then enrolled many of the French Canadian inhabitants into his little army, and took their oath of allegiance, promising them "all the privileges of the American government." With some of these men he appeared before the fortifications of Vincennes, in February, 1779. When the British commander, Hamilton, attempted to make terms,

Clark firmly replied, "I am, sir, well acquainted with your strength and force, and am able to take your fort; therefore I will give no other terms but to submit yourself and garrison to my discretion and mercy." Surely the bold American adventurer must have had in mind the gallant corporal in the opera who bids off the castle at auction, and when asked how he expects to find the money, answers, "I will save it out of my pay." Clark took Hamilton prisoner, confiscated and sold some of his slaves, and held for Virginia the whole vast region between the lakes, the Ohio, and the Mississippi.[1]

Indian Country, 1779.

A third expedition was Sullivan's invasion of the country of the hostile Six Nations in 1779. He penetrated up the Susquehanna — the town of Horseheads long marked the spot where his cavalry was dismounted — and harried the Genesee Valley; but as soon as he retired, the Indians again closed in upon the region, and nullified his military success.

British Islands, 1778.

A fourth instance of armed invasion, and the only case of a landing of American forces within the United Kingdom, was the daring attack of John Paul Jones on Whitehaven and St. Mary's Island in April, 1778. The principal result was the "lifting" of the Earl of Selkirk's plate, which Jones afterward gallantly bought in and returned to Lady Selkirk.

[1] See § 58.

From this time for nearly twenty years there was no foreign military expedition, though some preparations were made in the French war of 1798; but from 1801 to 1804 American ships repeatedly bombarded Tripolitan towns, and even raised the American flag over a foreign city. At first the peace-loving mind of President Jefferson could not comprehend a war where people shot at each other; and when the *Enterprise* in 1801 captured an enemy's vessel, the craft was simply turned over to its owners again.

Barbary States, 1801–1804.

More vigorous treatment speedily brought Morocco to terms, so that in 1803 the titular Emperor of that country warned his subjects as follows: "Now know ye, that the Almighty having reconciled what had happened with the American nation because of the acts of the vessels, and that we are now, as we were before, with them in peace and friendship, as settled with our father (to whom God be merciful!) — Take care — take care that none of you do anything against them, or show them any disrespect or disregard, for they are, as they were, in friendship and in peace, and we have increased our regard for them, in consequence of the friendship they have manifested to our person, which God has exalted. And we order that you be careful and diligent in all their concerns, and we order that you do well with their vessels

Morocco, 1803.

and with their merchants. Peace be with you all."

In 1804 Tripoli was more vigorously attacked, and then came an episode which Americans should always remember, in order that the like may never befall again. Our consul, Eaton, was authorized to set a back fire by subsidizing Hamet Caracalli, a banished predecessor and elder brother of the reigning Bashaw. Hamet had found a lucrative position in a respectable predatory Egyptian force as a kind of

Hamet Caracalli.

> "A promising young robber,
> The lieutenant of his band."

Eaton made the long journey to upper Egypt, sought him out, this good pirate, and besought him to make war on his brother. The deposed Bashaw entered into a treaty by which, in return for his services, he was to receive a pension for himself and his family. With Eaton he crossed the desert to attack the Tripolitan town of Derne, took it, and hoisted the American flag. This is almost the only occasion when the United States has been in actual possession of African soil; and up to 1898 it remained the only example of a land expedition marching across foreign territory outside the continent of North America.

Capture of Derne.

At this juncture Commodore Rodgers, who was besieging the city of Tripoli, allowed a peace

to be made by which Hamet's cause was abandoned. Hamet himself was taken aboard a ship; but when his unhappy followers saw him depart, and realized that they were left to Tripolitan vengeance, Eaton says that "the shore, our camp, and battery were crowded with distracted soldiery and populace; some calling on the Bashaw, some on me; some uttering shrieks, some execrations." Hamet, in a very pathetic letter, threw himself on the generosity of the United States, and plead for the execution of the solemn promise made in the new treaty that his family should be restored to him. The poor fellow could not realize that his ally had made no stipulation for his followers, and did not concern itself about his wives and children.

The expedition of 1805 made unnecessary any further interventions among the Barbary powers till, in 1815, the Dey of Algiers began to capture American vessels, and defended the practice in a letter to "the happy, the great, the amiable James Madison, Emperor of America, may his reign be happy and glorious." The emperor thus addressed, however, preferred to answer by Decatur's fleet; and this naval force so impressed the Dey that peace was forthwith made. When Decatur next went to demand an indemnity for property piratically taken by the Dey of Tunis, that potentate said simply, "I know that admiral," laid down his telescope,

Algiers, 1815.

combed his beard with a tortoise-shell comb studded with diamonds, — and paid the money.

The experience of the period from 1775 to 1804 showed clearly that invasions of an enemy's country may be a useful kind of warfare, and that in dealing with half-civilized powers force is the only argument that is understood; but the government learned that it is easier to get into relations with insurgents who are fighting a common enemy than to get out again honorably.

15. Expansive Expeditions, 1797–1821.

Meanwhile the United States had entered on a long process of ascertaining and extending her boundaries, a process in which more than fifteen military occupations were found necessary. By a secret article of the Treaty of 1783 with England, the southern boundary of the United States was to be the thirty-first parallel, including a region stoutly claimed by Spain. In 1795 Spain formally acknowledged our rights; hence the retention of Natchez and Walnut Hills (Vicksburg) by the local officials gave rise to a lively intervention in 1797. Lieutenant Pope and forty soldiers came down the Mississippi to Natchez; when the Spaniards refused to evacuate the disputed strip, Pope notified them that, "As commandant of the troops of the United States at the lower posts, I must assure you that the landing of any troops, or the repairing of the fortifications of the territory in question, will

Mississippi, 1797.

be considered as an attack upon the honor and dignity of my country." Six months later the Spaniards gave up the post, and the region was shortly included in Mississippi Territory.

Louisiana, 1802.

Troops were authorized by Congress in 1802 for the seizure of Louisiana if necessary, but the colony was peacefully ceded by treaty. Meanwhile Jefferson had despatched a military expedition, under command of Captains Lewis and Clark, to explore and take possession of Oregon.[1] In August, 1805, the party entered on the Pacific slope — the only instance in our federal history of the military taking possession of a region as yet not occupied by any civilized nation.

Oregon, 1805.

The cession of Louisiana involved the country in a double controversy, both Texas and West Florida being claimed by the United States. In 1806 Wilkinson was sent with an armed force into the Texan disputed territory, and a fight with the Spaniards seemed impending; but a temporary boundary was fixed at the Sabine River. In the same year Lieutenant Pike, with a party of twenty-three men, was sent to explore the western country, and presently was seized by the Spaniards in their province of New Mexico. Eventually they let him go with an admonition; and until 1836 there was no more intervention on this border.

Texas, 1806.

New Mexico, 1806.

[1] See Chapter vi.

The West Florida controversy was also adjusted by military intervention. We now know that the French government had no intention of taking West Florida as a part of the Louisiana transfer of 1800, and hence could not have transferred it to the United States in 1803. In 1804 a United States customs district was created, including part of the disputed area. After some local revolutions in 1810 President Madison sent the civilian Governor Claiborne to take possession of the disputed region as far as the Pearl River, as part of his Territory of Orleans. The rest of West Florida, including Mobile, was still held by Spain; but in January, 1811, Congress took the extraordinary step — never since repeated — of passing a secret joint resolution. The President was authorized to seize both the disputed and the undisputed Spanish territory south of Georgia; nevertheless, Madison held off till April, 1813, when Mobile was at last occupied by a military force under Wilkinson.

West Florida, 1810.

West Florida Secret Act, 1811.

At this juncture the war with Great Britain broke out. Although occasioned by aggressions on American commerce, the immediate object was the conquest of Canada by the United States, and therefore repeated expeditions were sent across the border in 1812, 1813, and 1814. Hull attacked Malden; Van Rensselaer failed at Lewiston, and Smyth at Chippewa; Wilkinson withdrew from Chrysler's Farm; Brown

Canada, 1812–1814.

won the battles of Chippewa and Lundy's Lane; but they were all driven back after a brief occupation, sometimes of only a few hours. Fort George, on the lower Niagara, was almost the only Canadian post held for any considerable time; William Henry Harrison penetrated to the river Thames, but abandoned the territory again; and Dearborn and Pike captured York (now Toronto), the first provincial capital ever taken by the Americans. Unfortunately, during Dearborn's brief occupancy the so-called "Parliament House" was burned. No orders for this had been given, and the United States disclaimed responsibility: it was a kind of accident likely to happen in such a foray, but it was made an excuse for the later destruction of Washington by the British. After the evacuation of Fort Erie, nearly across the river from Buffalo, in September, 1814, there was no Canadian place held by American troops.

East Florida, 1814.

The long pending contest over the Floridas was next adjusted by a strong hand: three invasions without a declaration of war were required to convince the Spaniards that they might make a virtue of the necessity of ceding the region. The first invasion was simply an extension of regular military operations to neutral territory used as a base. In July, 1814, the British forces seized the Spanish fort near the port of Pensacola, and made it a base for an attack on Mobile;

the American commander, Andrew Jackson, was not a man to stand on punctilio, and without orders, but with entire justification, he pushed with three thousand men to Pensacola, and in November stormed the town, and held it for some days before withdrawing.

Three years later the thorough-going scoundrel Jones Aury made Galveston Island a centre for smuggling, slave trade, and piracy. The United States issued orders to suppress the nuisance — though outside our territory — by a naval force. The buccaneers therefore descended on Amelia Island, off the coast of Florida. President Monroe deemed that "the right of self-defence never ceases. It is among the most sacred, and alike necessary to nations and to individuals." Resting on that right, and on the secret act of January, 1811, he sent Captain Henly with the ship of war *John Adams*, and Major Bankhead with a land force, to take possession. When Aury wanted to negotiate, the two Americans answered, laconically, "As officers in the service of the United States we are bound to obey orders emanating from the authorities of our government without any discussion or animadversion on our part as to the correctness of them; we propose to land a force to-day, and to hoist the American flag; under that flag no oppression or unjust measures will ever be witnessed." The Spanish minister protested,

Amelia Island, 1817.

but the island was held till ceded by the Treaty of 1819.

East Florida, 1818.

In 1818 Jackson was the general in command on the Florida borders, and again invaded Spanish territory. Whether he was acting under orders or contrary to orders is still a disputed question; he had given informal notice to the authorities in Washington that he meant to enter the territory, and to his mind the policy of the government was thus satisfactorily established. Convinced that the Spaniards were stirring up Indian hostilities across the boundary, Jackson crossed the border, marched to the Spanish post of St. Marks, and court-martialled and executed two British subjects found in doubtful relations with the Indians.

Up to this episode there had never been such rigor toward inhabitants of territory invaded by the United States troops, even in time of war. It was the first time also that a military commander ventured to create a territorial government on his own responsibility. As a result of what he called "the immutable principle of self-defence," Jackson on his own responsibility organized the region on the Spanish model, "established" the revenue laws of the United States, and even appointed a collector of customs. Eventually Jackson's measure was upheld by the administration; and though the territory was restored to Spain, it was soon after

returned to the United States under the Treaty of 1819. By an opera-bouffe fatality, the first governor of Florida was Jackson, and he received, and cheerfully exercised for the time being, all the arbitrary powers of the previous Spanish captain-general.

Summary, 1797–1819.

In the twenty-two years from 1797 to 1819 there had arisen twenty cases of well-defined expeditions into foreign or disputed territory; of these, eleven were in the midst of war; of the rest, nearly all were forcible attempts to settle territorial controversies with Spain. The work was so thoroughly done that, after 1818, there was for eighty years no expedition directed against Spanish territory.

16. Protective Expeditions, 1822–1835.

Although, after the War of 1812, the people of the United States felt a consciousness of national power, and a desire to make republican government and American influence felt in other parts of the world, the only cases of actual intervention between 1820 and 1835 were in the Falkland Islands and in Sumatra. The Falklands were a resort for sealers, and were supposed to be a "no man's land;" but in 1831 a sealing vessel was seized by persons who had formed a colony and purported to act under a commission from Buenos Ayres. Thereupon Jackson sent the ship *Lexington*, commanded by Captain Duncan, who uprooted the colony completely. Two years later Great Britain claimed the islands, and the

Falklands, 1831.

controversy ended. In 1831 the *Potomac*, Captain Downes, was sent to Sumatra to punish "a band of lawless pirates"; and the town of Quallah Battoo was effectively bombarded.

Sumatra, 1831.

During this period, however, the United States sent a few troops to Oregon, where, under the Conventions of 1818 and 1828 with Great Britain, there was a temporary joint operation. No actual force was used then, or in the more acute Oregon controversy of 1846.

17. Aggressive Expeditions, 1836–1850.

The twenty-five years from 1836 to 1861 were marked by a new spirit in American foreign relations. It was a time of conquest and desire for more conquests: Texas, New Mexico, and California were acquired by the Union through military and naval expeditions, and serious efforts were made to annex Cuba, Mexico, and parts of Central America; the development of California created new interest in a route across the Isthmus, and hence led to new interventions; China and Japan were opened to American trade by a pressure which several times ended in armed violence; there was an effort to raise the American flag in Hawaii; and President Buchanan formed a plan of systematic interventions in Central and South America. The historian Von Holst sees in all this only the hand of the malignant slave power: it is true that the defenders of slavery were advocates of a "vigorous foreign policy"; but the movement had even

New Elements.

deeper roots than the purpose to gain slaveholding territory. The young giant among nations was becoming conscious of his strength, and liked to stretch out his arms to the uttermost parts of the earth.

The first episode in this period of aggressive intervention was in 1836, when Jackson sent a force into Texas, then a part of Mexico. The alleged occasion was Indian depredations sixty miles from the frontier; the real occasion was the desire to give encouragement to the revolution in Texas. General Gaines not only entered Texas, he also called on the governors of four states to send him militia. This was too much for Jackson, who had strong opinions against other people who acted without orders, and he withdrew the troops with "impressive warnings." Texas, 1836.

President Tyler early began a series of military expeditions, which ended with the conquest of California. In October, 1842, Commodore Thomas Ap Catesby Jones entered the harbor of Monterey, California, hauled down the Mexican flag, sent a garrison to the fort, and ran up the American flag; his only excuse was that he had read a newspaper report that war had been declared by Mexico on the United States. The next day he saw the error of his ways, took down his flag, and withdrew; later the government at Washington disavowed the act, and made an apology to justly offended Mexico. California, 1842.

In the same year, 1842, however, Tyler sent young Captain Fremont to explore the stretch of country about the head-waters of the Platte River. With about twenty hired civilians he crossed over, uninvited, to Mexican territory on the upper tributaries of the Colorado, but returned without any encounter. A year later Fremont was despatched ostensibly "to connect the reconnoissance of 1842 with the surveys on the coast of the Pacific"; but his party of fifty included three artillerymen, who handled a government howitzer. Early in 1844 he reached California, without permission from Mexico; and again made his way unmolested over the mountains eastward.

New Mexico, 1842.

California, 1844.

Meanwhile a treaty was on foot for the annexation of Texas; and in February, 1844, our minister to the "lone star state" took the responsibility of declaring that Mexico would not be permitted by the United States to invade Texas as a retaliation for the negotiation. President Tyler disavowed him on the ground that "the employment of the army and navy against a foreign power with which the United States are at peace is not within the competency of the President." Nevertheless, on April 1, 1844, Calhoun, then Secretary of State, promised, "during the pendency of the treaty, to use all the means placed within his power to protect Texas from foreign invasion." The treaty failed.

Texas, 1844.

When, in 1845, annexation was accomplished, no actual force was employed, because Mexico made no military resistance; but the principle of armed intervention had been cynically avowed, and was soon to be put into active service.

It was President Polk's purpose, from the beginning of his administration, to provoke a war with Mexico, in order to have a pretext for seizing California. The consequence was that in 1845 and 1846, just before and during the war, eight different military expeditions were sent out into Mexican territory. In 1845 instructions were issued to naval officers to be ready to seize California; and Fremont was again despatched for his third and most belligerent entry into foreign regions. He had an armed party of sixty men, and on his arrival in California was warned off by the Mexican authorities, and betook himself for the time to Oregon.

California, 1845.

When war broke out with Mexico in May, 1846, land expeditions were at once despatched to California and New Mexico, and naval forces to the Gulf and the Pacific. President Polk had already accepted as his own the extravagant claims of the newly annexed state of Texas to a part of the Mexican province of New Mexico, and had thrown away the chance of securing by amicable negotiation Mexican consent to the proposed frontier. Mexico protested; where-

New Mexico and California, 1846.

upon, without any adequate attempt at a peaceable arrangement, and without any information that the Mexicans had resisted, Polk made war upon them, and in addition to Texas he took possession of six hundred thousand square miles of territory. Colonel Kearny marched inland to Santa Fé, and in August seized New Mexico; thence he marched to California with sixty men. He found on arrival in December that, without waiting for news of war or for orders, Fremont had come back, had aided the American residents in California to assert their independence, and had been fighting the Mexicans; and that Commodore Sloat had also occupied Monterey. A few weeks later the Mexican troops were driven out of the coast region.

Mexico, 1846.

Meanwhile the war had been carried into Mexico itself. Under orders from Polk, General Taylor marched through the disputed strip of territory west of the Nueces, and in April, 1846, closed the Rio Grande to navigation. The Mexicans were justified in considering this an invasion, and attacked Taylor then and there. Three later invasions — Doniphan's into Chihuahua, Taylor's southward to Buena Vista, and Scott's to the City of Mexico — were simple acts of declared war in undoubted foreign territory.

This is the only purposeful conquest in our history; and the magnificent country which it brought to us on the Pacific coast must not

blind us to the fact that it was a war waged to extend slavery, and to counteract the influence of the free states in Congress, and that it straightway led to sectional rivalries within the Union which speedily and inevitably brought on the Civil War. Nor was the Mexican war necessary: Texas was already secured, and California must eventually have fallen to the United States without a war with Mexico.

Temporary Governments, 1846–1848.

The political status of the four regions thus occupied — the Rio Grande strip, New Mexico, California, and old Mexico — is most interesting in itself, and is a significant precedent for our relations with the Philippines and the Antilles. Kearny, without waiting for orders or for a treaty of peace, proclaimed New Mexico not only a part of the United States, but also a "territory," appointed a civil governor, and declared the Mexicans to be subjects of the United States. Commodore Sloat proclaimed California to be a permanent part of the United States, and his successor, Stockton, declared it a territory and made Fremont "governor"; then, under orders from the President, Fremont set up a special tariff and tonnage duty in California. General Scott in Mexico levied military contributions, took charge of the custom-house, and designated courts.

Late in the war the administration found itself in the position of the foreigner who

attempted to fight the wildcat. When a friend asked, "Shall I come and help you catch him?" the belligerent answered, "No; but I wish you would come and help me let him go." The Mexican administration was so disrupted that, for a time, no one could be found with authority to make peace, and it was soberly proposed to annex the whole country. A peace was at last adjusted early in 1848; the United States troops were shortly withdrawn from the present territory of Mexico, and the ordinary revenue system of the United States was applied to all the annexed regions.

Project of taking all of Mexico.

18. Expeditions become a Policy, 1850–1860.

Up to 1850 there had been neither show nor threat of force against Europe or the adjacent continent of Africa, since the end of the Barbary troubles in 1815. Now came a very unusual demonstration of naval force in the Mediterranean Sea. In 1853 Martin Koszta, a Hungarian who had declared his intention to become an American citizen, was seized at Smyrna and put on board an Austrian man-of-war. Commodore Ingraham, of the United States ship *St. Louis*, under directions from our *chargé* at Constantinople, declared that he would recover Koszta by force of arms, if necessary; and the man was thereupon released.

Turkey, 1853.

The process of military expeditions had meanwhile been applied to force open the gates of Eastern commerce. Up to 1844 Americans had

no treaty rights in China, and Japan was still a sealed country, where even shipwrecked sailors were treated with inhospitality or cruelty. Between 1849 and 1852 four naval expeditions were sent to Japan to exert a pressure on that country; the successive efforts of Glynn, Aulick, Preble, and Kennedy were not effective, but in 1854 a fifth and imposing squadron had better fortune, and Commodore Matthew C. Perry at length obtained the long-desired Japanese treaty. Japan, 1849–1852.

The internal revolutions in China gave rise, between 1854 and 1864, to two cases of actual fighting. In 1854, and again in 1855, American forces were landed in China, first to protect and then to oppose the Taiping rebels. In 1856 Commodore Armstrong, in the *Portsmouth*, attacked and destroyed four Chinese barrier forts near Canton, without any specific orders from home. Three years later Commodore Tatnall saw the British Admiral Hope worsted in a fight with the forts; whereupon he exclaimed, "Blood is thicker than water," and went to the assistance of his fellow Anglo-Saxon. China, 1854–1856.

A third episode is not a source of pride to Americans. A belligerent and uninformed policy brought us into hostile relations with Japan in June, 1863. The American steamer *Pembroke* was fired upon while attempting to pass through the channel of Shimonoseki, then blockaded by Japanese insurgents. Captain McDougall, of Japan, 1863.

the United States ship *Wyoming*, attacked the batteries and sank two Japanese vessels. The next year, 1864, the forts were again attacked and destroyed by a combined Dutch, French, English, and American force, the latter consisting of a chartered steamer with one gun. This very unusual case of joint action with foreign powers was followed by the exaction of a disproportionate indemnity from the imperial government, which had disavowed responsibility; many years later the United States honorably refunded its share, and thus atoned for the injustice of the money fine.

The decade from 1850 to 1860 was a time when expeditions became familiar engines of diplomacy in America. The first instance was an order, in 1852, to protect from Peruvian interference American vessels loading guano in the Lobos Islands, an order soon countermanded. Subsequently an act of Congress defined the method by which the discoverer of an unappropriated and barren island might bring it under the jurisdiction of his country.

Lobos Islands, 1852.

The growing interest in Isthmus transit gave rise to several interventions or proposed interventions. The United States threatened force when, in 1851, the British ship *Express* fired on the American steamer *Prometheus* at Greytown. The serious difficulty, however, was the bombardment of Greytown, a place held by a band

Nicaragua, 1851.

of adventurers in territory disputed between Nicaragua and the king of the Mosquito Indians. Under authority of Congress, Captain Hollins in 1854 trained the guns of the ship *Cyane* on Greytown; no satisfaction being given, he bombarded and nearly destroyed the place, and a landing party set the remaining houses on fire. Nicaragua, 1854.

At another point in Central America, intervention was proposed for the protection of travel across the Isthmus. The United States of Colombia attempted to lay a tonnage tax, which the United States of America considered a breach of the treaty. Hence, in 1857, President Buchanan sent naval vessels to both sides of the Isthmus, but there was no landing of troops at that time. Colombia, 1857.

The year 1857 witnessed a very picturesque case of military intervention — this time to aid a friendly power. William Walker, who had several times invaded Nicaragua as a filibuster, sailed from New Orleans to Saltillo, and began to capture vessels and kill men under the very nose of Commodore Paulding. That officer promptly used his naval force to arrest Walker, and sent him home for trial. By what seems like the plot of a Bowery farce, the commodore was censured for exceeding his authority, and Walker was set free; but the Nicaraguan government was duly grateful for riddance from a knave. Nicaragua, 1857.

One more episode needs to be mentioned in this decade. Squabbles over a convention of 1850, which Paraguay would not ratify, led to ill feeling; and in 1855 the United States steamer *Water Witch* was fired upon in a channel of the river Paraguay. After long and unsuccessful diplomacy President Buchanan asked, and Congress in 1858 granted, authority to the President "to adopt such measures and use such force as, in his judgment, may be necessary and desirable." An expedition of nineteen vessels and twenty-five hundred men was sent out, and in 1859, without firing a gun, obtained apologies and treaties and indemnity.

Paraguay, 1858.

The successful interventions in China, Greytown, and Paraguay, together with a naval expedition to Syria in 1858, and a proposed naval expedition to Java in the same year, seem to have turned Buchanan's head; for he came before Congress again and again to request that he receive general powers to intervene outside our boundary, inasmuch as "the Executive cannot legitimately resort to force without the direct authority of Congress, except in resisting and repelling hostile attacks." He wanted to use troops to keep the Isthmus route open; he wanted "a temporary protectorate over the northern provinces of Mexico"; he even tried to arrange with one of the factions in Mexico to invite his intervention; Mexican

Syria, 1858.

Buchanan's Projects, 1857–1860.

steamers were captured; he thought he ought to have general authority "to enter the territory of Mexico, Nicaragua, and New Granada for the purpose of defending the persons and property of American citizens"; he negotiated a treaty for the occupation of the Isthmus of Tehuantepec. The scheme of Buchanan would have made the President the dictator of Latin-America, backed up by the army and navy and resources of the United States; it marks the high tide of the policy of intervention.

Summary.

Though there was but one foreign war in the period 1836–1861, there were about twenty-five cases of armed intervention: the United States was rapidly becoming the policeman of the Americas and the terror of the Orient.

19. Expeditions in America, 1861–1872.

The Civil War put an end to the wild ambitions of Buchanan and his friends, for there were too many "alarums and incursions" at home. Nevertheless, there were some instances of intervention, besides the seizure of the Confederate commissioners on the *Trent* in 1861. Force was threatened against Colombia in 1862 on the old question of tonnage duties. General Dix ordered his troops in 1864 to follow across the borders into Canada any persons who might invade the United States, and he was promptly disavowed by Lincoln; but in the same year Lincoln seemed to favor pursuing hostile Indians into the British Northwestern territory.

Trent Case, 1861.

Colombia, 1862.

Canada, 1864.

British Northwest, 1864.

All of these were minor questions; the two really serious occasions for intervention were both in Mexico. At the end of the Civil War a great force of troops was directed toward the Texan border. General Grant assumed that invasion of Mexico was bound to come; and for a short time our troops did occupy the Mexican town of Matamoras. France was firmly and finally warned that the further maintenance of a force intended to overawe the Mexicans and destroy their republican government was an act unfriendly toward the United States. Fortunately these expressive hints were enough to cause the withdrawal of the French troops. Austria, in 1866, showed some disposition to bolster up Maximilian, but Seward gave her to understand that no levies from that country would be permitted to replace the French.[1]

France, 1865.

Austria, 1866.

Moderation.

It is certainly remarkable that, with the most powerful army and navy of its whole history at its command, the government of the United States from 1861 to 1872 forbore to follow up the policy of interference practised during the previous quarter century. Apparently both Lincoln, "the great war President," and Grant, "the citizen-soldier," were averse to actual intervention in the affairs of neighbors, and found means of securing their ends without foreign expeditions.

[1] See Chapter i.

Since 1873 interventions have again become an active part of the foreign policy of the country, but the field has been widened: the western coast of South America has been included; the sphere of American influence in the Pacific has extended beyond Hawaii to Samoa; the spicy islands of the farthest East have heard the thunder of American guns; and American troops have participated in the occupation of Pekin. **20. Commercial and philanthropic Expeditions, 1873–1898.**

In 1873 Grant made an attempt to secure from European governments a joint intervention in order to adjust the perplexing Cuban question; but the trouble was happily settled without carrying the suggestion into effect. In Isthmus affairs the principal incident was President Arthur's treaty with Nicaragua in 1884, by which the United States was to have a standing right to intervene for the protection of a canal; and that treaty was withdrawn by President Cleveland in 1885. Toward Canada there was, in 1881, a threat of pursuing Sitting Bull across the border, and from 1886 to 1890 Canadian sealers were captured in Bering Sea; the Paris Arbitration Commission of 1895 held these captures to be unwarranted, and allowed an indemnity to Great Britain. In Mexico, from 1874 to 1886, there were half a dozen cases of pursuit of Indians over the border, in one of which the responsible officer was Colonel Shafter, later commander of the forces invading

Cuba, 1873.

Nicaragua, 1884.

Canada, 1881.

Bering Sea, 1886–1890.

Mexico, 1874–1886.

Cuba; and in 1882 a treaty authorized such pursuit, and thus took it out of the category of armed intervention.

Chile, 1881. In Chile we have thrice proposed intervention. After the Chilean conquest of Peru in 1881, Mr. Hurlbut, our minister to Peru, warned Chile that "the United States would deeply regret if she should change her purpose and be carried away in a career of conquest." Secretary Blaine disavowed the phrase, but restated the principle in the form, "the exercise of the right of absolute conquest is dangerous to the best interests of all the republics of this continent." This rather belligerent intimation was withdrawn a few months later by Secretary

Chile, 1891. Frelinghuysen. In 1891 the United States government authorized the pursuit of the Chilean insurgent steamer *Itata*, which had slipped out of an American port without clearance papers; eventually the vessel returned voluntarily, and the federal courts held that there was not ground for naval capture. A few months later occurred the painful incident of the attack on the sailors of the United States ship *Baltimore* in the streets of Valparaiso. Since proper redress was delayed, President

Chile, 1892. Harrison, in January, 1892, recommended military action by Congress; but the Chilean government hastened to make suitable apologies and reparation.

Of the Venezuelan incident in 1895–1896 it is unnecessary here to speak further than to say that President Cleveland plainly intimated that the United States might have to fight for its principles of peace and good will; and the matter was adjusted by concessions on the part of England. Venezuela, 1895.

Interventions in the Pacific have kept pace with those in America, and both Hawaii and Samoa have been the scenes of repeated landings and occupations. Webster promised, in 1851, that "the Navy Department will receive instructions to place and keep the naval armament of the United States in the Pacific Ocean in such a state of strength and preparation as will be required for the preservation of the honor and dignity of the United States and the safety of the government of the Hawaiian Islands." This pledge was carried out in 1874, when a new sovereign was to be chosen at Honolulu and violence was feared; for the American minister, at the request of the Hawaiian authorities, called on Commander Belknap to land a hundred and fifty men from the *Tuscarora* and *Portsmouth*, and they remained eight days on guard, alongside a similar British force. Again, in 1889, Commodore Woodward, at the request of the American minister, landed marines at Honolulu to protect the legation — and, incidentally, to have "a favorable effect on the population." Hawaii, 1851. Hawaii, 1874. Hawaii, 1889.

Hawaii, 1893. When a still more serious revolution broke out at Honolulu on January 16, 1893, the American minister, Stevens, at the request of a revolutionary committee, called on Captain Wiltse of the *Boston* to land a force. Among the unusual circumstances of this intervention was the request of the insurgents that Captain Wiltse take command of their troops as well as of his own; the quartering of a large body of the Americans in a hall away from the legation and near the government buildings; the offer of annexation by the new government; and the formal "protection of the United States," which Stevens announced on his own responsibility on February 1, and emphasized by raising the American flag over the islands. By order of President Cleveland the flag was withdrawn March 31; and an unsuccessful attempt was made to restore the political conditions of Hawaii as they had been before the revolution.

Samoa, 1877, 1878, 1886. The history of intervention in Samoa is very similar: three times—in 1877, 1878, and 1886—American consuls raised their flag over that group of islands; but though the home government never accepted the proposed cessions, it insisted on a joint interest in Samoa with England and Germany, and in 1889 sent out warships to assert that interest. The trouble was adjusted by a tripartite treaty, establishing a triune government in the islands. When, in 1893,

the natives engaged in civil war, the United States again authorized a vessel of our navy to take part in a joint military demonstration. The Treaty of 1899, by which the United States was assured the complete sovereignty of a part of the group, put an end to these landings or show of force in neutral territory. Samoa, 1893.

Several opportunities have arisen in the last thirty years for interventions in Europe, but none of them have been used. The Cretans, in 1867, drew on American sympathies; the trouble of Roumania interested us in 1872; some persons desired to intervene in behalf of the Armenians in 1895, and in behalf of the Greeks in 1896, but the only effect was to send warships into Turkish waters. The only Asiatic expeditions up to 1900 were an armed intervention in Korea in 1871, and a landing at Tien Tsin in the same year to protect refugees from a massacre. All these hints and sympathies are insignificant in comparison with the actual occupation of the Philippines in 1898, just as all recent American interventions yield in importance to the powerful expeditions to Cuba and Porto Rico, and the recent dramatic joint march from the coast to Pekin, the most striking episode in our Asiatic relations. Crete, 1867. Roumania, 1872. Armenia, 1895. Greece, 1896. Korea, 1871.

Many of the incidents which have just been described have no great significance in themselves, but they enable us to judge of the pur- **21. Review of Expeditions.**

poses and methods of armed interventions during the last century and a quarter, and to make some generalizations as to causes, geographical distribution, methods, and results.

The most frequent occasion for the exercise of military force has, of course, been the desire to take the territory or damage the defences of a public enemy: Canada in 1775 and 1812, Tripoli in 1804, California in 1846, and the Philippines in 1898, are sufficient examples. In times of peace a predisposing cause for intervention is the wish to cut the Gordian knot of territorial disputes, as in the occupation of West Florida in 1813, and of the Rio Grande in 1846. Border difficulties and Indian troubles account for at least a third of all the interventions: such are Jackson's Seminole War of 1818, and the Mexican border raids from 1874 to 1882. The protection of Americans and their property has given rise to most of the interventions in other than border countries, as in the Falklands in 1831, in Japan in 1863, and in China in 1900. The special question of the Isthmus has led to several such episodes as the bombardment of Greytown in 1854. For another group of interventions the only explanation is the desire of administrations or of our ministers or consuls to increase the area and prestige of the Union, as in the cases of Samoa and Hawaii.

Weak Powers.

In general, interventions are a remedy for trouble with feeble powers, though there have been repeated expeditions into British territory or against British claims. Spain and Mexico, as weak and rather disorderly near neighbors, have come in for nearly thirty interventions, and the Isthmus states for six or eight more. Samoa has been the object of controversy at least four times; Hawaii, four times; Japan and China, six or eight times; Paraguay, twice; Chile, three times; the eastern coasts of Asia, seven or eight times. The only interventions in or near European countries have been the landing of Paul Jones in England in 1778; the Barbary wars; and the difficulty with Austria in 1853.

Support of land Forces.

Expeditions into bordering countries have been made by land forces, supported in many cases by the navy, as on Lake Erie in 1813, and in the Gulf and the Pacific in 1846. In distant countries and their seaports, the principal work has fallen on the navy; except in the Mexican War, there had never been an organized auxiliary landing force of soldiers before the expeditions to Cuba and Porto Rico and Manila.

Most of the interventions have been made under the orders of the President, or his authorized subordinates, on the general principle of the duty of the Executive to protect American citizens and their property everywhere; but

Overzealous Subordinates.

zealous consuls and ministers have often gone beyond their instructions, as in Hawaii in 1851, and in Samoa in 1886; and naval officers have sometimes been as injudicious as was Commodore Jones in the year 1842.

Declarations.

The expeditions of 1775–1779, 1803–1804, 1812–1814, and 1846 were made under formal declarations of war; and Congress has also repeatedly given special authority for the use of force; this was the case in the Florida acts of 1811–1813, the expedition to Paraguay in 1858–1859, and the Cuban intervention of 1898.

Treatment of occupied Countries.

A question most interesting in the present crisis is, What has been the nature of the authority exercised by commanders of expeditions over the people of the occupied countries? Very few of them carried any specific orders; the exceptions are Arnold and his colleagues in Canada (1775–1776), Claiborne in West Florida (1811), Jackson in East Florida (1821), Kearny in California (1846), and the consuls in Samoa. Several commanders seem to have usurped civil powers, as General Rogers Clark in the Northwest, Dearborn in Canada, Fremont in California, and Scott in Mexico. In one instance only, that of Quebec in 1775, has a committee of Congress gone out to supervise the military and civil operations, though there was something very like it in our Civil War.

Temporary Governments.

In the cases where territory has been held for a time long enough to require any civil government, the commanders have usually proclaimed the temporary or permanent sovereignty of the United States; they have also deposed and appointed civil officials, and have even set up temporary revenue systems. In a few instances,— as Quebec in 1775, Vincennes in 1779, Derne in 1804, Texas in 1836, California in 1846, New Mexico in 1846, Hawaii in 1851 and 1893, Samoa in 1886, Cuba, Porto Rico, and the Philippines in 1898, — the United States has sought to come into relations with local insurgents, and has promised them protection, and sometimes incorporation into the Union. In not one of these cases, except Texas, have the natives really rallied to the aid of the invading troops, or taken any important independent part in military operations.

Insurgents.

Causes.

The reasons which brought about the earlier interventions have now almost ceased to exist: our boundaries are established, our flag is respected, the most tempting near-by territory has been gained, the Isthmus question no longer requires much interference, and commerce is opened up all over the world. But as fast as one set of causes ceases to be effective, another arises. The necessity of dealing impressively with imperfectly civilized nations grows stronger as we come in contact with more of them, for to such people intervention is a swift and certain

argument sure to be remembered. The appetite for annexation of foreign territory is hard to assuage; and interventions having annexations in view are war, and breed wars. Interventions in conjunction with other powers have so far been little known to our system — our experience in Samoa does not seem to commend joint administration of colonies; and the invasion of China has brought with it very alarming difficulties.

Looking back over the course of military interventions since the United States became a nation, three conclusions stand out clearly. The first is the remarkable success of all the serious interventions and expeditions authorized by the federal government, with the single exception of the invasions of Canada. The second is the increase of territory and prestige which the expeditions have brought to the nation, even when unrighteously undertaken. The third is the free hand which the United States has so far enjoyed in entering either American, Pacific, or Oriental territory. But this last favorable condition has come to an end; henceforth, whenever we send our ships and troops far outside of America, we must confront a highly organized system of jealous foreign powers; and we must expect to find that no nation can share in the mastery of other hemispheres, and at the same time be sole master in its own hemisphere.

Conclusions.

III

BOUNDARY CONTROVERSIES AND COMMISSIONS IN THE UNITED STATES

22. Extent of Boundary Controversies.

In the excitement over the territorial controversy with regard to Venezuela in 1895, people supposed that it was the most important and most difficult foreign question in which the United States had been involved, instead of one of the lesser American boundary controversies during the last hundred years. Of the five thousand miles of our land frontier, there is not a foot which has not been the subject of dispute, of negotiation, of treaty, and of subsequent investigation by commissioners; upon two thousand miles of frontier there have been mutual threats of war; one thousand miles the United States gained by right of conquest. To sum up in a sentence our national boundary history up to 1900, it includes eighteen seriously contested areas, four military seizures, two wars, five other serious crises in which war was threatened, twenty-seven treaties, three arbitrations, a dozen commissions, besides uncounted despatches, reports and resolutions, bills, and acts of Con-

gress. Periods of "storm and stress," much more alarming than any in the present generation, have many times come upon us; and the controversies have been settled quietly and satisfactorily.

Dividing the globe.

The adjustment of line fences is always a trial of the good temper of neighbors; and continents are as hard to divide peacefully as bottom lands or cattle ranges. Within twenty years we have seen the spider web of boundary lines creeping over the face of Africa; England, Germany, France, Spain, Italy, Portugal, and the Belgians have been exploring, negotiating, and threatening over the interior of the Dark Continent. Now a similar but more fateful controversy is pending with regard to Eastern Asia. The process of dividing Africa has been genial compared with the struggle for the possession of North America and the West Indies. For more than two centuries there strove against each other Spaniard, Englishman, Frenchman, Dutchman, and Swede. Nor were these paper controversies: in the intercolonial wars, thousands of brave men gave their lives in the endeavor to gain or to defend territory. Just as the continent and most of the islands by the treaty of 1763 seemed comfortably divided between England and Spain, the Revolutionary War came on; and at its close the United States of America stood forth as the youngest and most vigorous North American

Dividing America.

power. The territorial history of the continent since that time has been for the most part the story of the advancement of the boundaries of the United States, till it has occupied almost all that is valuable out of the former British, French, and Spanish territory in North America. Few empires in the world exceed it in area; and no country has shown itself better able to defend its just territorial rights.

23. Revolutionary and early Federal Adjustments, 1778–1798.

In a certain sense the Revolution was itself a boundary controversy; it involved the most serious difference of opinion as to how far British jurisdiction extended; the Americans seized the northwest region, and the British seized New York City. In the negotiations of 1782 boundaries were the most difficult questions to adjust, and were, in the end, confusingly defined. It was therefore fortunate that the founders of the republic were familiar with boundary controversies in the colonies. George Washington, in 1753, had been a commissioner to warn the French off the Virginia lines. The jog in the line between Kentucky and Tennessee marks a spot where the commissioners of North Carolina discovered that their line was being deflected far to the north of west. The present western boundary of Connecticut is a monument to the Dutch and Yankees who agreed on it in 1650. The colonist knew the frontiersman's advance into disputed territory, the surveyor's chain, the

Colonial Controversies.

diplomat's pen, and the commissioners' conference. Many of the internal boundary questions have extended into the present century, as in the long-drawn disputes between Rhode Island and Massachusetts, and the "Pea Patch" controversy in Delaware Bay.

Northern Boundary.

Our diplomats were, therefore, quite at home in the snarl of difficulties left by the treaty of peace of 1783, and the later rival claims to Oregon. Yet, notwithstanding their experience, patience, and sense of the gravity of the territorial problems, it was almost ninety years before the whole of the northern line from the Atlantic to the Pacific was agreed upon, surveyed, and marked. A nation which has peacefully overcome the difficulties of that long and anxious negotiation need not fear any future controversy. The difficulties long seemed almost insurmountable: the northern neighbor was England, a power not disposed to exaggerate the bounds of her late dependencies; the lines laid down in the treaties could not possibly be located on the actual face of the country; much of the boundary lay in a wild region which would have been a "no man's land," but for the rival claimants; some long-extended boundary lines were river channels studded with desirable islands; and Oregon was founded in a wilderness where it was "first come, first served."

The first step was to get possession of our unquestioned territory; and that took thirteen years. England long continued to maintain posts within the acknowledged boundary of the United States, and even laid hands upon an official of the United States who had strayed too near their fort at Buffalo, and escorted him back a hundred miles toward his home. In 1794 this was one of the grievances which nearly led to war; Washington, whom no one will accuse of lack of courage, insisted that we should attempt to gain our point by negotiation, and Jay's diplomacy won a bloodless victory; for, in 1796, in accordance with the Jay treaty of 1794, British garrisons were withdrawn from all the territory of the United States where the boundary line was not a subject of international dispute.

Posts, 1783–1796.

In the same Jay treaty progress was made toward the second great step, — the settling of the boundary from the eastern coast to the Lake of the Woods, — and the policy of establishing joint commissions was then begun. Six such bodies were created at different times, from 1794 to 1842, of which two broke up on account of disagreements.

24. Adjustment of the Maine Boundary, 1814–1842.

It is not necessary to dwell upon that part of the boundary which runs from the head of the Connecticut River to the Lake of the Woods, for it was settled piecemeal, without any serious

Point of Disagreement.

jangling; the difficult questions were to determine what was meant by "the northwest angle of Nova Scotia," and "the Highlands which divide those rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean." When Maine was admitted into the Union in 1820, that state became an interested party to the controversy. While diplomats wrangled, the hardy American and British settlers began to appear in the disputed belt, and to warn each other away.

Some of the earlier commissions had been composed of one person appointed by each power, with a third chosen by lot, a system which might make the final decision a matter of tossing a coin; in the Treaty of 1814 provision had been made for referring the matter to an arbitrator, if the commissioners disagreed. The expected came to pass: both parties maintained a right to twelve thousand square miles of disputed territory. The first boundary arbitration in the history of the United States was therefore, in 1827, brought to bear upon the controversy, when the case was submitted to the king of the Netherlands; in 1831 he reported that the wording of the treaty could not be applied to the country, and he therefore indicated a compromise line. This the United States declined to accept as not being a "decision" in the sense of the agreement.

Arbitration, 1827–1831.

Treaties, commissioners, and arbitration all having failed, the country was confronted by a serious and increasing danger of war. Maine was belligerent and raised a force of men. In 1833 Secretary Edward Livingston unsuccessfully suggested a device which bore some resemblance to that created in 1896 to examine the Venezuelan question: "a commission of some of the most skilful men in Europe, selected by a friendly sovereign, and sent to view and survey the disputed territory, attended by agents appointed by the parties." Fortunately, when the matter neared a crisis in 1842, Daniel Webster was Secretary of State, and concluded a treaty by which the territory was divided nearly on the line of the rejected arbitration. Details were amicably settled by another joint commission, and thus, after forty-nine years of argument, was peacefully and honorably quieted one of the most obstinate international disputes in our history.

Belligerent Maine.

Ashburton Treaty, 1842.

25. Adjustment of the Louisiana Boundary, 1803–1828.

With the splendid Louisiana purchase of 1803, was annexed another series of troublesome boundary questions. We took the province from France "with the same extent it now has in the hands of France and that it had when Spain possessed it." Unfortunately these two definitions were contrary to each other, and Napoleon, in the course of his negotiations, instructed his minister that, if there were not

already an obscurity in the treaty, one should be inserted. The difficulty was that the order of Napoleon to his subordinates to take Texas and leave West Florida to Spain was never made known to the United States; hence our government eventually gave up Texas but insisted on West Florida, and this geographical mistake at once led to a new and troublesome boundary quarrel with Spain. That power had, from 1782 till the Treaty of 1795, steadfastly refused to admit that northern West Florida, above the thirty-first parallel — now central Mississippi and Alabama — was rightfully a part of the United States; and again warmly protested in behalf of the southern or coast strip when, as Henry Adams says, "Livingston discovered that France had actually bought West Florida without knowing it, and had sold it to the United States without being paid for it."

West Florida.

Occupation, 1810–1819.

Negotiations for the first time proved too slow: after seven years the United States occupied the disputed territory by force of arms, and later twice occupied parts of East Florida, which was undoubted Spanish territory. Seeing the impossibility of making head against the determined republic, Spain, by the Treaty of 1819, gave up the Floridas but retained Texas. Notwithstanding the tension of nearly twenty years, there was never any serious danger of war between the two countries, and West Florida

might have been annexed eventually without even the show of violence.

26. Adjustment of the Oregon Boundary, 1819–1872.

Various commissions were appointed to run the lines laid down in the Spanish Treaty of 1819, and the corresponding Mexican boundary Treaty of 1828; but a new and serious boundary question had meanwhile arisen in Oregon. Here there was no question of the interpretation of treaties, for there were none; nor of a commission to run boundary lines, for Oregon was the indefinite region west of the Rocky Mountains. The controversy involved the same questions as those at the bottom of the Venezuelan dispute: the time of first discovery, the effect of prior exploration, the weight to be given to occupation by trading companies, the rights of permanent settlers. As in the disputed belt between Guiana and Venezuela, the two parties for many years maintained at least some show of authority. Perhaps, however, the controversy might better be compared to that now going on in Central Africa. Four powers — Spain, by ancient discovery; Russia, by Alaskan settlements, beginning in 1775; England and the United States, on more serious grounds — all laid claim, at the same time, to the whole or part of Oregon. By skilful negotiation the United States extinguished the Spanish claim in 1819. The Monroe doctrine of 1823 was in considerable part inspired by a purpose to shake off Russia,

Russian Claims.

and John Quincy Adams warned the Russian ambassador that "we should contest the right of Russia to *any* territorial establishment on this continent." The next year Russia, by treaty, withdrew all claims south of 54° 40′. England was thus the only rival left; and with England in 1818 and again in 1827 the United States entered into an agreement not likely to be repeated in future with any power: the two nations were to have equal rights in the disputed territory, subject to later adjustment.

Oregon appreciated.

After 1840, however, the value of the country became more apparent, easy land communication was opened up, and there were repeated threats of war. The tract in dispute was vastly more important than either West Florida or northern Maine; the people of both countries were much excited and equally sure of the justice of their claims. In 1844 the cry of "fifty-four forty or fight" was one of the issues of the presidential election; and Polk, in his inaugural address of March, 1845, declared the claim of the United States to be "clear and unquestionable." As soon as Congress met in December, 1845, threatening resolutions were reported by the Senate Committee of Foreign Affairs.

Arbitration and Compromise.

The next step was in curious contradiction to the present attitude of the two powers toward arbitration. Great Britain proposed an arbitra-

tion on a question of the same kind as that which she at first declined with Venezuela; President Polk refused it on the ground "that he does not believe the territorial rights of this nation to be a proper subject for arbitration." Stocks fell; insurance rose; the President asked for more troops and ships; a match would have set off the powder magazine. But Polk did not drop the match; the House and Senate began in belligerent tones but grew steadily milder; and six months after refusing any concession, Polk agreed to the present boundary as a compromise line. The Treaty of 1846 put an end to this alarming controversy after more than forty years of agitation. The commission disagreed upon the San Juan boundary; but that too was peaceably settled by arbitration in 1872. From the discovery of the Columbia in 1792, ninety years passed before the whole matter was adjusted. If this episode in the territorial history of the United States proves anything, it is that the most complicated boundary quarrels may be harmonized by patience and with honor.

Treaty of 1846.

Arbitration of 1872.

All the world knows that Polk's sudden change of policy was not due to timidity nor to a lack of willingness to take territory. At the end of the war in 1848 a new frontier was drawn from the Rio Grande to the Pacific. As in several previous cases, the commissioners appointed to run the boundary line disagreed, and a second

treaty was necessary in 1853 to complete the boundary. As late as 1885 it was found necessary to constitute a new boundary commission to rediscover the line laid down by this treaty.

27. Alaskan Controversies, 1867–1900.

The next annexation was that of Alaska in 1867. Whatever the commercial advantages of this transaction, it has brought with it two vexatious territorial disputes. One of them — the question of jurisdiction over seal fisheries — was settled peacefully by the Paris arbitration of 1893, which has required a second arbitration to arrange its details. The other — the boundary through the mountains between Alaska and Canada — has passed through the hands of one commission, and in 1900 is still pending as a vexatious controversy. It is worth while to notice that the possession of gold fields, which was supposed to be an underlying factor in the Venezuelan affair, complicates also the Alaskan boundary dispute; and the same question would eventually have put California into much the present position of the Transvaal, had not California been annexed before the yellow discovery.

The discovery of gold in the Klondike begun in 1896 revived a long-standing boundary trouble. The northern part of the line between the Dominion of Canada and Alaska is fortunately a meridian which can be exactly located by survey, and leaves the upper creeks

of the Yukon undoubtedly on the Canadian side. Farther south, the line of 1825 between Russia and England follows parallel to a very irregular and rugged coast, or along lines of mountains which do not exist. The plain construction of the treaty gives to the United States a strip east of tide water all the way westward from 54° 40′; but a harbor would be so useful to Canada that claims have been made in behalf of Great Britain, and arbitration has been suggested.

28. The United States as Arbiter for other Nations.

Up to thirty years ago the United States had seldom taken any part in the boundary controversies of other nations. We have sometimes offered our good offices, as in the case of Peru in 1881; or have acted as arbitrators, as in the Bulama Island dispute between England and Portugal in 1870; but have had little occasion to make our influence felt in territorial matters beyond our own limits. When San Salvador in 1822 and Yucatan in 1848 modestly suggested marriage to Uncle Sam, he declined it. Toward Cuba there has been something more than Platonic friendship ever since Jefferson pointed out its value in 1807, and according to the historian Rhodes it would have been forcibly annexed in 1854 but for the Kansas-Nebraska bill, which aroused the North against further extension of slave territory. Seward thought the St. Thomas treaty would have been

ratified in 1868 if the Danes had been ready. San Domingo was all but annexed in 1871. But these annexations would not have brought about boundary quarrels, for it is a happy trait of islands that they have frontiers indubitably surveyed by nature.

Foreign Colonies deprecated.

About 1870 Secretary Fish began to take ground which is perhaps the basis of Mr. Olney's contentions in his famous despatch of July, 1895, to Lord Salisbury.[1] Mr. Fish spoke of the time when "by the voluntary departure of European governments from this continent and the adjacent islands, America shall be wholly American." Mr. Blaine, in 1881, advanced a few steps by asserting the right of the United States to interfere if Chile should pare too much territory from the flank of Peru. Secretary Olney has set forth the right of the United States, as the "sovereign" of America, to be consulted on boundaries between European colonies and other American states. The practical acceptance of this claim by England makes it nearly certain that the doctrine, however wanting in precedents, will have a further application in the future.

In the annexation of the Philippines in 1899 the archipelago was bounded by fixed geometrical lines; and it was found that the two islands of Cibitu and Cagayan lay outside. As Spain

[1] See Chapter vii. below.

very properly refused to give them up without a separate negotiation, the United States in 1900 purchased them from the Spanish government.

29. Lesson of Boundary Controversies.

From this brief sketch of our boundary relations, it is clear that territorial quarrels are among the most dangerous which set civilized nations at enmity with each other. The desire for the advantage and prestige of more territory can be felt by the humblest voter; the humiliation of giving up a claim once formulated by the government is keen throughout any land; actually to lose unquestioned territory leaves the seeds of such bitterness as that in France over Alsace-Lorraine. To settle such controversies honorably requires a moderation of judgment, a knowledge of diplomacy, and a skill as to the technical details of boundaries and surveys, not always to be found even among leaders. All honor, therefore, to the wise American statesmen who have steered the nation through all such perils, and who have shown what may be done for one's country by the homely virtues of patience and forbearance!

So far as our present boundaries are concerned, nearly every mile is now settled and staked; and it is well, for the nation will never again wait ninety, or fifty, or five years for the settlement of so serious a question as the Maine or Oregon boundaries. But since we are apparently to take some responsibility for other

lands, it may be well to consider, in the light of our own history, how complicated boundary controversies may best be adjusted.

Methods of friendly Adjustment.

First should come a distinct statement of claims, made as early as possible, so that the rival's lines may not advance; such was our course in 1803. Next come negotiations and an attempt to gain territorial advantages by accepting something else desired by the other party. Thus, in 1842, Webster consented to an extradition clause in a boundary treaty. If the case be serious enough, there is ground for a formal remonstrance like that of Jay in 1794. The good offices of friendly neighbors may be accepted, such as the United States has exercised in behalf of Venezuela. The dispute ought then to be terminated by a treaty, as was the Oregon question. Failing that, arbitration is the best step, and so the United States found it in the San Juan arbitration of 1872. Commissions commonly come in to carry out details of treaties or arbitrations after they are concluded, and they are subject to disarrangement by the failure of the commissioners to agree. In a few cases the United States has sent out commissions of inquiry before taking diplomatic action; such were the commissions of 1816, to South America, and of 1849, to Austria. The Venezuelan commission of 1896 is the first example of such a practice in boundary disputes.

What shall we do when the other party will not listen to reason or justice, and insists upon a claim which we cannot accept for ourselves or our neighbors? The first requisite is patience. A great nation, whose importance and powers of defence can be questioned by nobody, can afford to let a new issue simmer six months or even a year. The use of carefully chosen diplomatic language is another soothing practice. Seward might have brought on war with France by a single dictatorial despatch in 1865; but he could not have accomplished more than by his polite conviction that it was impossible that the French could desire to remain in Mexico. A power which is "in the market" for more territory — as England has long been — has a hundred more opportunities to get into disputes than a power like the United States, which foresees no further conquests. The simple historical fact is, that the United States has never needed force to settle boundary disputes; for even West Florida, California, and New Mexico would have eventually come peacefully into the Union. If the United States has so far honorably settled its difficult boundary questions without war or the pressure of probable war, is there need of a belligerent spirit when we become interested in the similar controversies of our neighbors? Patience.

IV

A CENTURY OF CUBAN DIPLOMACY 1795–1895

30. What is Cuba?

"WHETHER the West Indies are naturally parts of the North American continent is a question of curious speculation," said Thomas Pownall in 1780; "the whole must in the course of events become parts of the great North American domain." That a century and a fifth have passed without the fulfilment of this prophecy is a marvel in the history of a changeful world; and it is the purpose of this article to show why Cuba, the most valuable of the West Indies, so long lay within the boundary of the Spanish Empire.

What Cuba has been, all the world knows — the first important land to be discovered by Europeans; with its neighbor, Porto Rico, the last remnant of a mighty Spanish empire in America. How Cuba was governed and exploited for four centuries is a matter of history: the colonial policy of Spain from the beginning, and in all her colonies, aimed to throw the profits of colonial trade into the hands of home merchants. The rigor of the system defeated

its own ends, for it invited evasion; and corruption of the Spanish colonial official has from time immemorial been a part of the foreign merchant's expense account. Yet from the first, one colony has always furnished enough taxes and customs to give a large revenue to the mother country: that colony is Cuba.

Importance.

For this tropical island has the natural elements of great wealth; its area of forty-three thousand square miles has a seacoast of over two thousand miles; it is accessible in nearly every part, and stands at the crossways of two international highways — from the United States to eastern South America, and from Europe to the Gulf of Mexico. Besides its staple crops of sugar and tobacco, it has valuable timber, fruit, and minerals, and its exports were in 1894 worth more than a hundred million dollars. Politically, it is now the only West India island of consequence; and it has steadily increased in population and importance. It has been coveted by several great powers; it has long shimmered before the desireful eyes of Americans; and it was held by Spain with Iberian obstinacy and sacrifice of human lives.

31. The Spaniards in Cuba.

As for the Spaniards in Cuba, they were not governors, but masters; they held by military garrison, and they are a race not much disturbed by human suffering. They were worse slave-masters even than Anglo-Saxons; they have for

ages been accustomed to a vindictiveness in war which finds vent in the massacre of prisoners and the pillage of non-combatants. Their system of legal procedure, like that of all Latin nations, shocks the Anglo-Saxon by its harshness to the suspect and its cruelty to the convicted. Colonial authorities have a despotic power, and they cannot be effectively controlled from Spain. The Cubans are of the same race, but in all the Spanish colonies the native Spaniard has held himself, and has been held by the home government, above the colonist whose father was a Spaniard. Under such circumstances, the administration of Cuba was always exasperating to neighboring peoples, and most of all to the United States.

Race Elements.

Political and race elements in Cuba have been much confused, owing to the negro population, and to a division of sentiment among white Cubans. Up to 1878 six classes might be distinguished in the population: Spaniards, white Cubans adherent to the Spaniards, white Cubans opposed to the administration, mulattoes (many of them owners of property), free blacks, and slaves. In 1895 there were but two distinct classes — a Spanish party of Spaniards and Cubans, and a Cuban party. Throughout the century, however, others besides Spaniards and Cubans have taken part in Cuban affairs. Professional Spanish-American revolutionists,

such as Santa Anna and Lopez, have planned to rouse the sluggish Cubans; for many years there has been a class of Cubans who have naturalized in the United States and then returned to Cuba to live; and a small but ardent class of native Cubans, often Spanish subjects, has made the United States a base of revolutionary schemes. Finally, in all the Cuban troubles, there have been plenty of Americans born who were eager to join in expeditions to Cuba, and thus in war on Spain.

Diplomacy.

Diplomatically speaking, Cuba has been not a subject, but an object; it had no authority to negotiate or settle any foreign question. Cuban diplomacy was only Spanish diplomacy at long range, for the captains-general had great authority to disturb foreign residents, and to take foreign property, but none to redress grievances or to make indemnities. Every disputed question was settled — or, rather, was put off — at Madrid, and impatient Anglo-Saxons got weary of the Spanish Foreign Office, where everything was promised and nothing was done.

Decay of Spanish Empire.

One reason for habitual diplomatic delays is that Spain has been for a century a declining power, and takes refuge in procrastination. The Spaniards governed ill in 1795, but at least they governed widely; from the Mississippi River to the Pacific, from Oregon to Cape Horn, from the boundary of Georgia to the

Dutch in Surinam, from the La Plata southward — coasts, islands, and interior were Spanish. Yet that seeming empire was already shattered; and in the first third of the century the Spanish continental empire crumbled away, till Spain remained an American power only in retaining Cuba and Porto Rico.

Revolt of the Colonies, 1807–1823.

The Spanish nation was still warlike and tenacious; it lost its colonies, not because they were strong, but because the home country was slowly decaying.[1] In 1795 Spain was swept into the maelstrom of the Napoleonic wars, and the French treated her in succession as an enemy, ally, dupe, dependent province, and despairing rebel. When, in 1807, the king of Spain was put under lock and key by Napoleon, the Spanish colonies began to take charge of their own affairs, and they never for a moment acknowledged French domination. In 1814 they returned to a nominal allegiance to Spain; but they had tasted the sweets of independence; they broke loose again, and by 1823 Spain had nothing left on the continent of America except an empty claim to sovereignty and the two castles of Callao and San Juan de Ulloa.

Cuban Administration.

Since that time the hold of Spain on Cuba was always that of a harsh administration in a disaffected province. The Spanish principle has been that of "stick fast" — to grant

[1] See Chapter i.

nothing in privileges, reforms, territory, or humane treatment, except under pressure. If the Cubans wanted a better government, the only method that they knew was to revolt. Under these conditions Cuba would much earlier have ceased to be Spanish had there not been a third element in the problem — the will and the diplomacy of the United States of America.

32. Interest of the United States in Cuba.

Said John Quincy Adams in 1823: "From a multitude of considerations Cuba has become an object of transcendent importance to the commercial and political interests of our Union. Its commanding position, . . . the nature of its productions and of its wants, furnishing the supplies and needing the returns of a commerce immensely profitable and mutually beneficial, give it an importance in the sum of our national interests with which that of no other foreign territory can be compared, and little inferior to that which binds the different members of this Union together."

The commercial and military reasons upon which Adams dwelt have grown stronger in the last three quarters of a century, for trade has advanced, and the enormous development of the Mississippi Valley and of the Gulf coast, and the likelihood of an isthmian canal, give new strategic importance to the holder of Cuba. A strong national sympathy for the Cubans has

also shown itself whenever, as in 1822–1826, 1849–1851, 1868–1878, and 1895–1898, Cubans have seemed likely to throw off the Spanish rule.

Land-hunger.

Another factor is the land-hunger of the people of the United States, — their natural, hearty, and irrepressible desire to make a large country larger; their conviction that Anglo-Saxon civilization must prevail over Latin civilization where they come in conflict. Since so much of our present territory has fallen from or been wrested from the hands of Spain or Spain's successors, perhaps we feel that the reversion of Cuba is ours.

Conservative Policy.

With so many strong interests in Cuba, it was long ago predicted that the United States would seize it; but a study of the records of the century's diplomacy shows that, on the contrary, conservative principles long ago got a lodgment in the national consciousness, and held the nation back from interference. Toward Spain, for instance, the United States was usually friendly; it was clearly understood that no third power should take Cuba if the power of Spain were upheld there; but it was a general belief that Spanish rule would eventually break down by its own weight. Toward other powers the United States always said "hands off" whenever they showed an inclination for Cuba. Toward the Cubans there was the feeling that

in any quarrel with Spain they must be in the right, but that they could not give assurance of a permanent, orderly government. In any commotion in Cuba the rights of America were always involved, always disregarded, and always needed to be vigorously protected. Except in 1875–1876 it has been a principle of American diplomacy that no other nations have any right to take part in the settlement of Cuban troubles. As for annexation, as often as an opportunity to acquire Cuba has come, the nation has deliberately refused.

33. Analysis of Cuban Diplomacy, 1795–1895.

It is the purpose of this chapter to show how these various principles grew up during the hundred years from the first Spanish treaty in 1795 to the second Cuban rebellion of 1895. The century's diplomacy may be conveniently divided as follows: (1) From 1795 to 1807 we desired friendship and commerce with all the Spanish dominions, including Cuba. (2) In 1807–1809 we feared the annexation of the whole Spanish Empire by France. (3) In 1819–1826 we feared the annexation of Cuba by England. (4) From 1826 to 1845 we feared and probably prevented the independence of the Cubans. (5) From 1848 to 1861 successive administrations feared both Spanish and Cuban mastery, and strove to annex the island. (6) In the insurrection of 1868–1878 the first care of our government was the protection of its own citi-

zens, and its second interest was the stopping of a devastating civil war; though annexation seemed possible, it was put aside. (7) From 1878 to 1895 the United States strove to extend its commerce with Cuba and to protect investors, without questioning Spain's control.

No one can study Cuban diplomacy without coming to strong convictions; but it is not the historian's duty here to applaud, to defend, or to criticise, our national policy: his function is to relate facts in their logical connection; the reader's privilege to make deductions for himself; the statesman's difficult task to apply the lessons of the past to present problems.

34. Commercial Relations, 1795–1807

In the negotiations for the Treaty of 1795, Jefferson, then Secretary of State, put on record a principle which, with few exceptions, has ever since been observed. He declared that "we should have nothing to do with conquest," and that "we had with sincere and particular disposition courted and cultivated the friendship of Spain." The treaty was obtained, but friendship was severely strained by Spanish captures of American merchantmen, and by American claims to West Florida; not till 1821 was the danger of hostilities finally relieved by the cession of the Floridas. From that time, notwithstanding the contrast in the habits and aims of the two nations, there has been but one serious cause of controversy with Spain — Cuba; and

for many years the United States avoided an issue on that question by standing virtually as the guarantor of the Spanish dominion of the island against foreign powers, and even against the Cubans.

Guaranty.

For instance, Clay, in 1825, gave formal notice "that the United States, for themselves, desired no change in the political condition of Cuba." President Van Buren, in 1840, assured Spain that "in case of any attempt, from whatever quarter, to wrest from her this portion of her territory, she may securely depend upon the military and naval resources of the United States to aid in preserving or recovering it." Secretary Fish, in 1871, was justified in saying that "the United States have no other right to interpose than that growing out of the friendly relations which have always existed between them and Spain, and the good faith with which they have observed their duties and obligations."

35. Apprehension of Annexation by France, 1807–1809.

The subversion of the Spanish monarchy by Napoleon, in 1807, for the first time revealed to American statesmen their responsibility for Cuba. President Jefferson was a man of peace; Secretary of State Madison thought well of human nature; Secretary of the Treasury Gallatin was a hard-headed man, not frightened by bugaboos; but the three men united in the belief that the great conqueror would never take the hen away from the chicks, that with Spain he meant also

Jefferson on Annexation, 1807.

to take Cuba. Hence, Jefferson, August 16, 1807, made the earliest recorded suggestion of the annexation of Cuba to the United States: "Probably Cuba would add itself to our confederation," in case of war with Spain. In 1809 he prophesied the annexation of Cuba and Canada: "and we should have such an empire for Liberty as she has never surveyed since the creation; and I am persuaded no constitution was ever before so well calculated as ours for extensive empire and self-government." But he qualified his empire by two limitations: "I would immediately erect a column on the southernmost limit of Cuba, and inscribe on it a *ne plus ultra* as to us in that direction"; and "Cuba can be defended by us without a navy, and this develops the principle which ought to limit our views. Nothing should ever be accepted which would require a navy to defend it."

Another real danger was that England would wrest away some of the Spanish colonies; and in 1806 a British force, afterward disavowed, captured Buenos Ayres. Gallatin feared "British ascendency" in Cuba; and Madison, in 1811, thought that "England will play some game with Cuba if the United States take possession of East Florida." The danger was averted when England became the ally of Spain in 1809; Wellington's troops virtually helped to save Cuba from France.

Buenos Ayres, 1806.

Madison, 1811.

Twice since that time the French have shown unwelcome interest in Cuba. In 1823 they were checked by Clay's declaration that "the United States could not see with indifference these islands passing from Spain to any other power." The last interference of France in American affairs was the subjugation of Mexico, in 1861–1866; and a threat of war from the American government caused France definitely and permanently to withdraw from any claim or hopes of American possessions on the mainland or in Cuba. Later Complications.

Meanwhile new dangers arose in three quarters at once. As the only remaining stronghold of Spanish power, Cuba became the military objective of Mexico and Colombia in their war with Spain; at the same time there was a rising in Porto Rico and much uneasiness in Cuba, where several attempts were made to raise a revolt; and there were hints that aid was to come from sympathizers in the United States. To crown all, from 1819 to 1823 rumors abounded that England was treating with Spain for Cuba. As the *London Courier* said, in 1825, "Cuba is the Turkey of transatlantic politics, tottering to its fall, and kept from falling only by the struggles of those who contend for the right of catching her in her descent." **36. Apprehension of Annexation by England, 1819–1826.**

In the critical years of 1822–1823 every policy was considered by the United States which has Critical years, 1822–1823.

been suggested in the seventy-five years since that time: encouraging Cuban insurrection, filibustering, warning other American powers, warning European powers, good advice to Spain, joint guaranty, purchase, and forced annexation.

Sanchez, 1822.

In the midst of this rumor and excitement there appeared in Washington, in 1822, one Sanchez, purporting to be a secret agent of an organization of Cubans who were ready to declare the island independent of Spain if Monroe would admit it as a state into the Union. This extraordinary overture was gravely discussed by the Cabinet, and Monroe gave the man two letters — one refusing to take any step hostile to Spain, the other asking for more information. Sanchez thereupon disappears, and with him the first distinct scheme of annexation through independence.

J. Q. Adams, 1823.

We find the policy of the government summed up in an elaborate despatch sent by John Quincy Adams, Secretary of State, April 28, 1823: "In looking forward to the probable course of events for the short period of half a century, it is scarcely possible to resist the conviction that the annexation of Cuba to our federal republic will be indispensable to the continuance and the integrity of the Union itself. . . . The question both of our right and of our power to prevent . . . the transfer of Cuba to Great Britain, if

necessary by force, already obtrudes itself upon our councils."

Just at this time sprang up an idea — later of much importance — that Cuba could be made safe by a mutual disclaimer by England and the United States. President Monroe was pleased with the idea; Adams inclined to it; Gallatin, as minister to England, thought it the solution; but no joint declaration was made, and the United States escaped an "entangling alliance." Suggested joint Declaration.

Nevertheless, it was thought expedient from time to time to renew a warning. Thus, in 1840, President Van Buren notified Spain that, if Cuba was in question, the United States would "prevent at all hazards military occupation by England." Again, in 1843, Webster brought forward the argument that we might annex Cuba if necessary to prevent English annexation. At various times from 1845 to 1861 there were rumors of British designs in Cuba; but there was never serious danger from that quarter after 1823; for it was evident that for any European nation to take Cuba, with or without the consent of Spain, meant war with the United States. Van Buren, 1840. Webster, 1843.

The year 1823 is the dividing line in Cuban diplomacy. Up to that time independence and even annexation seemed probable; after that time both were for twenty years discouraged by the American government. When Adams became President in 1825, he allowed the sug- **37. Apprehension of Cuban Independence, 1826–1845.**

Attempt to purchase, 1825.

gestion to the Spanish government that Cuba be deposited with the United States as a pledge for "a loan"; but this first attempt to buy Cuba had no success.

Slavery, 1825–1826.

Already a new force had begun to hold the nation back, alike from schemes of annexation and of Cuban independence. That force was slavery, and it affected even such Northern men as Adams, Van Buren, and Webster. The first evidence of the power of the slave barons is an appeal to Russia in 1825 to move Spain to recognize the independence of Mexico and Colombia, so as to stop the war, and avert their project for invading Cuba and Porto Rico. The real trouble was that the new Latin-American states, as James Buchanan put it, "always marched under the standard of universal emancipation," and might free the Cuban slaves. The demand of the slaveholders was more distinctly stated in 1826 by John M. Berrien, of Georgia: "If our interests and safety shall require us to say to these new republics, 'Cuba and Porto Rico *must* remain as they are,' we are free to say it, and, by the blessing of God and the strength of our arms, to enforce the declaration."

The protest of the United States was effectual. Mexico and Colombia forbore to attack their enemy Spain in her most vulnerable spot, and thus was lost the best opportunity of the century

for getting Cuba out of the hands of Spain without any interference by the United States. The policy was continued for many years. Van Buren, in 1829, said it was "the interest of the Southern section of the Union that no attempt should be made in that island to throw off the yoke of Spanish dependence"; and Webster, in 1843, feared that Cuban emancipation would "strike a death blow to the existence of slavery in the United States."

Van Buren, 1829.

The indifference of the United States to the acquisition of Cuba was, however, not wholly due to slavery. Van Buren praised "the wisdom which induced the Spanish government" to open Cuban ports to general commerce. As for new territory, the annexationists were directing all their energies to Texas, where slavery was in no danger; and beneath all sectional interests there lay a national unwillingness to get involved in the difficulties and complications which must attend the annexation of Cuba.

Cuban Trade.

In the history of the United States the policy of annexation has always grown by what it feeds on. After Louisiana came Oregon and the Floridas; after Texas came New Mexico and California; and before their status was settled, in 1850, schemes had sprung up for annexing Yucatan, Hawaii, Central America, the Lobos Islands, and Cuba. By this time the country could choose any one of three methods, all of

38. Scheme of Annexation by the United States, 1848–1861.

which were sanctioned by experience: it might buy Cuba as Louisiana had been bought; it might assist Cuban independence as a preliminary to later incorporation, as had been done in Texas; or it might adopt the Roman method of seizing the coveted land as it had seized California. Each of these three methods was tried in turn, and each was unsuccessful.

Buchanan, 1848.

The apostle of annexation from 1848 to 1861 was James Buchanan, Secretary of State, later minister to England, later still President. In 1848 he revived the plan of purchasing Cuba by offering $100,000,000 for the island. Undeterred by an offended refusal, President Pierce, in 1853, desired to have a few millions put at his disposal; but the Spanish Secretary of Foreign Affairs declared that "to part with Cuba would be to part with national honor." Plans of purchase now languished, till Buchanan became President; his request for thirty millions "to acquire Cuba by honorable negotiation" could not stand against the insight of men like Ben Wade, who said that annexation at that time was simply a question of "giving niggers to the niggerless." Since 1861 there has been no official offer for the purchase of Cuba.

Pierce, 1853.

Buchanan, 1859.

Filibusters, 1849–1854.

Side by side with these schemes of purchase went the idea of annexation through Cuban independence. Presidents Polk, Taylor, Fillmore, and Pierce, for various reasons, frowned on the

expeditions organized in the United States from 1849 to 1854 to descend on Cuba; and the Cubans did not coöperate in what might be called the hurricane revolutions which came to the island from outside. Nevertheless, about two hundred Americans joined General Lopez in a landing in Cuba in August, 1851; he was defeated, and many of the surviving Americans were shot in cold blood after surrender. Though they had taken their lives in their own hands, they were prisoners of war, and the execution was a barbarity. Hence rioters attacked the house of the Spanish consul in New Orleans and tore a Spanish flag into fragments; eventually the United States paid an indemnity to the consul, and the storm passed by.

Failing purchase or insurrection, annexation by force seemed the only possible method. To head off such a scheme England and France, in 1851, proposed that the United States should join in a tripartite declaration against exclusive control of Cuba by any of the three. Secretary Everett, in 1852, replied by asserting in round terms the truth that the United States had an interest in Cuba incomparably greater than that of any other power, and that, "under certain contingencies, it might be essential to our safety," though the President "would consider its acquisition by force (except in a just war with Spain) as a disgrace to the civilization of

Tripartite Scheme, 1851–1852.

the age." From Everett's despatch all the way down to 1895, Spain and the United States were left to settle their affairs face to face, with no aid from a European conclave.

When Pierce appointed so fiery an annexationist as Pierre Soulé minister to Spain in 1853, it did not seem likely that any reasonable offer of "just war" would be declined. The occasion came February 28, 1854, by the seizure, on a technicality, of the cargo of the steamer *Black Warrior*, in Havana. Soulé blew the coals in Spain, and demanded indemnity within forty-eight hours by the Spanish secretary's clock. Calderon sternly replied that "he was not accustomed to the harsh and imperious manner in which this matter has been expressed."

Black Warrior, 1854.

In this crisis the decisive influence was the Kansas-Nebraska bill, by which the President had already raised up a powerful and implacable opposition. In the face of the indignant American people he could not take a second aggressive step for slavery; hence, when reparation was offered by Spain for the *Black Warrior* affair, it was accepted. One is tempted to wish that Pierce had defied the moral sentiment of the country consistently, and by unrequited annexation had spared us forty years of Cuban diplomacy. When the pirate Menas whispered to Pompey,

Annexation fails, 1854.

"These three world-sharers, these competitors,
Are in thy vessel: let me cut the cable,
And when we are put off, fall to their throats.
All then is thine,"

the conqueror could but reply,

"Ah, this thou shouldst have done,
And not have spoken on't. In me, 'tis villany."

Hardly had peace been assured, when it was endangered by the Ostend Manifesto, framed by Buchanan, Mason, and Soulé, the baldest and blackest plea that was ever made for the forcible annexation of Cuba: "If Cuba in the possession of Spain seriously endangers our internal peace and the existence of our cherished Union, then by every law, human and divine, we shall be justified in wresting it from Spain." In essence the argument was nothing other than that Cuba must be annexed, in order to keep slavery alive in the United States. The controversy over secession soon arose, and the Cuban question for many years was not an issue in national politics or a subject of international negotiation.

Ostend Manifesto, 1854.

After the Civil War attention was recalled to Cuba by several changes of circumstances. First, we had a new experience with insurgent communities. Secondly, Secretary Seward attempted to inaugurate a new era of annexations; he got Alaska, and treated for St.

39. Period of first Cuban War, 1868–1878.

Thomas and San Domingo, and we were thus confronted with a new West Indian policy. Thirdly, the extortions and aggressions of Spanish administration in Cuba were felt with more irritation every year. For instance, Spain claimed that the boundary of Cuba extended six miles out to sea instead of three miles; American negro seamen were not allowed ashore; men-of-war off Cuban ports were not to send in their boats; Americans were impressed, taxed, their property embargoed or confiscated, in violation of the Treaty of 1795. That the American citizens thus maltreated bore such names as Don Ramon Rivas y Lamar made no difference to the American government, which protected all naturalized citizens, however unpalatable they might be to the Cuban authorities. At the same time, the United States had now become the advocate of freedom, and put a great pressure on Spain to emancipate the Cuban slaves.

Dislocation of Spain, 1868–1875.

The greatest change of all was the breaking out in 1868 of the first genuine spontaneous movement for Cuban independence. It was a favorable moment; for, between September, 1868, and January, 1875, Spain passed through four convulsions, or rather revolutions, which in succession gave to the home country and Cuba a Bourbon monarchy, a provisional government, an elective king, a republic, and the restoration

of the Bourbon house. Under each of these régimes the loyal portion of Cuba was impartially misgoverned, and little progress could be made in subduing the disloyal part. The Cubans had no port, had no regular combined army, and throve on guerilla operations. It was a dreadful warfare; and as has always happened in struggles between Spain and her colonists, it led to ferocity. Shooting prisoners and students, interruption of commerce, arbitrary government in Havana, destruction of property, and waste of human life, — these were the incidents of the civil war in Cuba; yet the United States conscientiously held aloof from aid to the insurgents.

Virginius, 1873.

A crisis came in November, 1873. The steamer *Virginius*, registered as an American ship in the port of New York, was captured at sea by a Spanish vessel of war, carried into a Cuban port, and there about fifty of her officers and crew were summarily shot. A double grievance was thus created: the seizure of an American vessel on the high seas and the killing of American citizens without civil trial. Spain could not govern her governors, for orders telegraphed from Spain had no effect; and the turn of President Grant's hand would have brought on war. The Spaniards, however, made out against the *Virginius* a clear case of fraud in getting her American register; and the Presi-

dent, a man whose courage was not to be questioned, accepted the surrender of the vessel, and an indemnity to the families of the murdered Americans; and thus he avoided the kindred issues of war and annexation.

Meantime the Cuban insurrection dragged along, with a new crop of confiscations and exactions and forced loans, at the expense of American citizens. Claims for such grievances were adjusted under a convention of February, 1871; but in March, 1877, the Spanish government was still pleading to distribute the payment over a series of years. President Grant had in vain offered his mediation "for the purpose of effecting by negotiation the peaceful separation of Cuba from Spain," and Secretary Fish declared that "the ultimate issue of events in Cuba will be its independence." As the loss and misery of the war still continued, in December, 1875, President Grant intimated that "other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible, mediation and intervention."

Proposed Intervention, 1875.

The word "intervention," in this sense of a joint protest, had hardly been heard since 1827; but the hint was sufficient to lead Spain to make concessions, which the Cubans accepted in 1877. President Grant's plan of foreign intervention was not developed into details, though various

Peace, 1878.

foreign governments at one time agreed to unite in restoring order in Cuba. This scheme of a concert of powers would have been a serious departure from the century's policy that in Cuban diplomacy there are no other parties than Spain, the Cubans, and the United States.

40. Period of Cuban Trade, 1878–1895.

Apparently a new period had come for Cuba: speedily relieved of slavery, trade less shackled, a good government promised, what was there to check its prosperity or to revive the difficulties with the United States? It was soon found that things fell back into their old rut; the captain-general was still practically absolute; the island was saddled with the debt created to hold it in subjection; it was still exploited for the benefit of Spain, and the same wearisome impediments were laid on foreign traders. For example, in 1880 several vessels were fired upon by Spanish gunboats outside the jurisdiction of Cuba; in 1881 an American cattle steamer, subject to a tax of $14.90, was taxed $387.40 because she had some lumber on board. In 1882 began a long-drawn-out correspondence on overcharges and illegal exactions by Spanish consuls, over vexatious fines for small clerical errors, and over annoying passport regulations. The most serious trouble arose out of the refusal of the Spanish authorities to return estates confiscated during the war to American citizens of Cuban birth.

Annoyances.

Reciprocity.

Meanwhile trade between the United States and Cuba was advancing by leaps and bounds. In 1850 the sum of the Cuban trade into and out of the United States was $20,000,000; in 1880, $76,000,000; in 1894, $105,000,000. American capital became engaged in sugar and other industries. The two countries tried to put their tariffs on a better footing by the convention of 1884, for the mutual abandonment of discriminating duties; and in 1893 Spain accepted reciprocity under the tariff of 1890; but the Cuban authorities evaded the privileges thus conferred, on the ground that they were governed by a special Spanish translation from the English version of the treaty, and not by the original Spanish version; and it was three years before the home government could straighten out this petty snarl.

Filibustering, 1884–1885.

In 1884–1885 came some filibustering expeditions; the United States exerted itself to stop them, and there was no Cuban insurrection. On the whole, the years from 1879 to 1894 were freer from diplomatic controversy than any like period since 1845. Meanwhile the Cubans in the United States had accumulated a revolution fund of a million dollars.

41. Review of Cuban Policy.

Looking back over the century, we see how often Cuba has been a source of irritation, anxiety, and danger. Military, commerical, economic, ethical, and political reasons have com-

bined to compel the United States to concern itself with the neighboring island. Nevertheless, from 1795 to 1895 there were but two cases of direct interference with the destinies of Cuba — by President John Quincy Adams in 1825, and by President Grant in 1875. We saw the Spanish Empire break up without stirring for Cuba; we saw filibusters in 1849–1851, in 1854, in 1868–1878, 1884–1885, and the administration never gave them aid or comfort; in 1854 and 1873 there came excuses for war, and they were not claimed. Among the advocates of the annexation of Cuba have been Presidents Jefferson, Monroe, John Quincy Adams, Jackson, Polk, Fillmore, Pierce, and Buchanan, and it was not annexed.

Reviewing the whole period, it seems an historical truth that — so far from the Cuban policy of the United States having been one of aggression — few nations have shown more good temper toward a troublesome neighbor, more patience with diplomatic delays, or more self-restraint over a coveted possession. Even slavery, though it could prevent, could not procure, annexation. The Cuban controversy was not sought by the United States; it arose out of the geographical and political conditions of America. As the French orator said in 1793, "I do not accuse the king; I do not accuse the nation; I do not accuse the people; I accuse the situation."

V

BROTHER JONATHAN'S COLONIES

42. Conception of a "Colony."

"MANKIND is divided into three great classes," says a learned German follower of the philosopher Hegel: "those who are Hegelians and are proud of it; those who are Hegelians and protest against it; and those who are Hegelians without knowing it." In their colonial policy the nations of the earth might be put into three similar categories: those which, like Germany, are proud of their colonization; those which, like England, colonize with apprehension; and the United States, which for more than a hundred years has been a great colonial power without suspecting it. Because we have heretofore had no far-lying islands, or yellow or brown nations of dependents, we are now accused of entering on "a colonial policy" of which we understand neither the responsibilities or the dangers; but though the term "colonies" sounds strange, the thing itself is as familiar to us as vote by ballot.

What is essential?

What is the essential in the conception of a colony? Is it anything more than a tract of territory subordinate to the inhabitants of a

different tract of country, and ruled by authorities wholly or in part responsible to the main administration instead of to the people of their own region? Distance is not necessary to make a colony: Algeria is only twenty-four hours' steaming from Marseilles, yet is a French colony. Geographical separation from the home country is not necessary in true colonization, for Siberia is one of the greatest examples of a modern colony. A hegira of settlers over the seas is not necessary for colonization: is not Java a colony, though only 60,000 of its 24,000,000 people are Dutch? Arbitrary control is no necessary part of colonization, for nowhere in the world is there greater freedom of local government than in Australia. Alien or inferior races are not necessary for colonial life: Newfoundland has no Indians, yet has been a colony for centuries. The important thing about colonies is the coexistence of two kinds of government, with an ultimate control in one geographical region and dependence in the other; and since 1784 there has never been a year when in the United States there have not been side by side such a ruling nation and such subject colonies; only we have chosen to call them "territories."

Our domestic Colonies.

Even that term, perhaps, carries with it an idea of settled representative government, of inchoate statehood; but we have, or have had, nearly

every variety of colonies known to history, from recently occupied conquests, like Porto Rico, with no régime except the will of the military commander, through all the gradations up to a community like New Mexico, long on the verge of becoming a state. We have military stations, such as Fort Snelling, which are almost as free from any near-by control as Gibraltar; we have had in Liberia a distant protectorate as much a dependency of the United States as Sierra Leone is of Great Britain; our Indian agents have a status very like that of British residents in the native states of India; our control of Samoa resembles that of Belgium in the Congo Free State; the Aves Islands and Navassa are in their political status very like the English Bahamas; the French in Madagascar have set up a system resembling our control of Alaska; and the great self-governing Dominion of Canada is not so completely subject to home control as our own Territory of Oklahoma.

American Peculiarities.

Notwithstanding the variety of our dependencies, no one doubts that, in practice, the colonial aims, methods, and purposes of Brother Jonathan have been very different from those of other great powers, although the foundations of his system are much the same. Germany, France, Holland, Portugal, England, are small, thickly-populated countries, with boundaries pressed close together by centuries of hammer-

ing wars; hence they are forced to seek their colonial expansion on other continents or in other oceans. We, on the other hand, have, until very recently, been able to expand in regions almost uninhabited, and near our own doors. All European nations have found it a problem how to regulate the trade of their colonies, and hard to enforce their regulations; but our colonies have heretofore been simply admitted into our unlimited interstate free trade, and have desired no special status in foreign commerce.

Good Order.

Foreign colonies have always been pulling their home countries into wars, or, at best, into international scrapes; Brother Jonathan has never had to fight for the defence of his colonies, and the Utah troubles of the fifties are the only example of the rebellion of a colony of the United States. English and Russian statesmen are at this moment brooding over the question whether their outlying possessions would be loyal in case of war; never, since the Civil War, have we doubted that our colonies would stand by us in any crisis. The English in India are 100,000 against 300,000,000 natives; our red, black, and white aliens altogether make up less than a fourth part of our population. The iron subjection of dependencies to a distant rule is a principle as old as the Phœnician trading posts on the Mediterranean, but from the

beginning of our federal history up to 1898, Americans have accepted it as an axiom that all our colonies were eventually to become states of the Union. Notwithstanding the talk about imperial federation, it is plain that England must continue to have dependent colonies so long as English hearts hold their courage; but, up to the Spanish War, Brother Jonathan never looked in the face the prospect of a Union in which there should be permanent colonies.

Colonies to be eventually States.

43. Analysis of American Colonization. With all due allowance for special conditions, the truth remains that the United States has had a long and varied experience of colonization; and whatever is done in the future will be based on the habits of the past. For good or evil we have taken on ourselves the task of governing new dependencies. How far does the history of our own territorial system throw light on the capacity of Americans to perform that task? For convenience of treatment the history of our colonization may be taken up under the following topics: (1) Foundation of a territorial system (1780–1803). (2) Internal colonies in the West (1803–1900). (3) Absorption of Louisiana (1803–1812). (4) Florida (1819–1821). (5) Oregon (1803–1848). (6) Liberia (1817–1861). (7) Indian reservations (1830–1900). (8) Territorial slavery (1820–1862). (9) Utah (1847–1896). (10) The South during reconstruction (1865–1873). (11) Outlying colonies (1854–1900).

44. Foundations of a Territorial System, 1780–1803.

Notwithstanding that the Revolution was a protest against a colonial régime, the model for the original American territorial system, which has so far been little altered, was the previous colonial administration of Great Britain. That system in most colonies included five principles: the right to annex territory without the consent of its inhabitants; the right to dispose of wild lands; control of the aborigines; allowance of personal rights and privileges, guaranteed by a charter; and an administration consisting of an appointed governor, appointed judges, and a legislature whose statutes were subject to the veto of the governor, and also to annulment by the home government. Every one of these principles was adopted in the earliest territorial arrangements of the United States, and most of them are still parts of our colonial organization. We inherited also, and have since enlarged, that double population which all over the globe embarrasses European colonies, — a white race in the midst of inferior native races, — and hence have always recognized a double system of law, with the presumption always in favor of the white settler. To this was added the special complication caused by the status of the negro slaves — always a subject of dissension in America, and of interference from abroad.

The right to annex territory without the consent of the inhabitants goes back to the Virgin-

ian invasion of the Northwest Territory in 1778; since that time the consent of previously existing independent governments has been obtained in two cases — Texas and Hawaii; but there has not been an instance in the history of the United States in which a popular vote has been taken by the inhabitants of an annexed region. That principle of popular consent was put into the treaty with Denmark for the annexation of St. Thomas in 1867, and a vote was actually taken; but the project eventually failed. By purchase, conquest, or voluntary union, the United States has exercised all the rights of annexing new colonies which have ever been enjoyed by any colonizing power.

Popular Votes in America.

Ownership of Land.

The ownership and disposition of lands in colonies has also been a principle of the federal government ever since the extinction of the state claims to the Northwest in 1784. While recognizing previous private holdings, and while making various deductions for state reservations, the immense areas of wild lands have been as completely national property as the German "Hinterland" in Africa, or the Russian holdings in Siberia. The principal change from earlier colonial conditions is that the United States has never tried to exact quit-rents, and has seldom leased public lands; it has followed the earlier English colonial principle of putting the ownership as speedily as possible into pri-

vate hands; and during the last fifty years it has, by preference, sold or given lands in small parcels to actual occupants.

Form of Government.

The settlement of the lands under national direction has made it necessary to provide a system of colonial government till the territories were ready to enter the Union as states. Here again the plan was simply to follow the time-honored English idea of granting a written charter, in which personal rights should be defined, and a form of government indicated. The germ of our colonial system is a vote of the Continental Congress of October 10, 1780, setting forth the conditions on which the Western lands should be held and the frontier communities governed.

Vote of 1780.

Ordinance of 1784.

The pledge thus made was carried out in the ordinance passed by Congress, April 23, 1784, which provided that Congress should legislate for the new territories, but that the people should also have a local legislature, and eventually a delegate in Congress, and should finally be admitted to the Union.

Ordinance of 1787.

In 1787 the Northwest Ordinance systematized and enlarged these principles, and was the first great colonial charter granted by the United States. In essentials, the Ordinance resembles the colonial charters of Massachusetts, or the frame of government of Pennsylvania.[1]

[1] See § 60.

Later Organization.

From that day to this the acts of Congress, creating territories, have followed the main principles of the Ordinance of 1787. Nor has the control by the federal government been nominal; governors and judges have been appointed, instructed, and sometimes removed by the President, and territorial statutes have repeatedly been disapproved by Congress.

Unchartered Colonies.

In cases where the population was inconsiderable, the federal government has often, however, not felt itself bound to create a territorial organization on either of the two models set forth in the Northwest Ordinance and later statutes; hence there have been numerous instances in which we have held colonies without a charter. For instance, the territory west of the Missouri remained without any organization from 1820 to 1854; California never had an organized territorial government, though for four years held as a national possession; and Alaska has for thirty-three years remained an unchartered colony. A case perhaps even more striking is that of the District of Columbia, which has never had a distinct representative government, except from 1871 to 1874, and which is now administered by commissioners appointed by the President; it is taxed by act of Congress, without the slightest representation, even by a delegate in Congress; and it has no control of its own local affairs. From the beginning,

Nebraska, 1820–1854.

California, 1848–1850.

District of Columbia.

therefore, a special arbitrary régime has been applied to some colonies which were too sparsely populated or too disturbed to sustain any representative government of their own.

45. Internal Colonies in the West, 1803–1900.

For some years after the great charter of the Northwest Ordinance, the growth of new colonies was slow; but with the birth of the nineteenth century the feeble American communities began to experience an amazing movement from the Eastern world to the Western world, and from the Atlantic coast to the interior valley. The "Flight of a Tartar Tribe" is no more romantic; the invasions of Goths and Visigoths were less far-reaching. In all essentials the conditions of our first colonial settlements were reproduced and magnified. A tract of land which last week was a virgin forest, and yesterday a backwoods farm, is to-day a village, to-morrow a county-seat, next month a territorial capital, and next year the seat of government in a rich and populous state.

Western Settlement.

The transformation is not solely the work of Americans born: the raw Irish lad is soon to be the owner of a block of houses; the runaway German apprentice will shortly build a music hall; the Norwegian ploughman has the most valuable farm in the county; and the poor English weaver lives to see his children name the manufacturing city which he has founded after the Devonshire hamlet in which he was

born. To reach these flourishing colonies, roads push themselves into the wild frontier, and lakes and rivers bear the products eastward to the seaboard. Before the old people have left off grumbling over the unaccustomed hardships of frontier life, their children are moving out of the log cabins, and are putting the old folks into homes of such comfort as they never dreamed of in their peasant days.

To be sure, the same process has gone forward in Canada, New Zealand, Australia, South Africa, and Siberia; but nowhere on such a scale nor with such a variety of race elements. During the eighty years from 1820 about nineteen million foreign immigrants have come to our shores; and whatever their adherence to their original national character, their children, or at least their grandchildren, are no longer colonists, but complete Americans. The frontier has repeatedly been transformed from a group of colonies to a belt of the states of the Union, which again send out new swarms to plant new colonies. With all the unfavorable conditions of a growth too rapid to be refined, the result has been a lesson to the world in the art of practical colonization. Montana is a rude community, but it has got farther forward in civilization in thirty years than Cuba in thirty decades. North Dakota needs polishing, but it is a better place and has better promise than the French model

Disappearing Frontier.

colony of Algeria. When Brother Jonathan draws a long breath, as he begins his work of shaping a new batch of communities, let him remember that out of the most diverse white colonists he had made a race of Americans!

With the admission of the states of Tennessee in 1796, and Ohio in 1802, the machinery of colonial government was in full operation; and before 1822 Indiana, Illinois, Alabama, Mississippi, and Missouri passed through the four successive stages of unorganized colonies, of colonies with appointed lawmakers, of colonies with a local legislature, and of full-fledged states.

46. Alien Colony in Louisiana, 1803–1812.

Meanwhile the United States had advanced another step in colonization, by the annexation of large territories already inhabited by people of alien races, languages, religions, and laws. The annexation of Louisiana, speedily followed by that of the Floridas, made Frenchmen and Spaniards subject to the control of Congress.

Authority previous to Organization, 1803–1804.

The critical question of the temporary government of the territory of Louisiana was settled by a practice which became a precedent for Florida in 1821, and was suggested for California in 1848; Congress providing that the President might designate some one to take the functions previously conferred on the Spanish or French administrators. Claiborne was therefore vested with "all the powers . . . heretofore held and exercised by the governor general and intendant

of the province"; and he proclaimed to the Louisianians that "the American people receive you as brothers, and will hasten to extend to you a participation in the inestimable rights which have formed the basis of their own unexampled prosperity." As soon as Congress could reach the matter a regular territorial act was passed, March 26, 1804, on the general model of the first stage of the Northwest Territory.

First Louisiana Act, 1804.

In October, 1804, three unofficial commissioners, appointed by a public meeting at New Orleans, appeared at Washington to voice the bitter protests of the Louisianians; they complained that their province had been divided into two territories, that their slave trade was forbidden, that they had only a limited right of trial by jury, that their land titles were questioned, that their official language was changed, that their civil law was administered by judges who did not know civil law, that they did not like their governor, and had no legal appeal from his decisions. It was the period commemorated by the local artist in Cable's novel with his "pigshoe of Lou-isiana rif-using to hanter the h-Union.

Discontent in Louisiana, 1804-1805.

In the long indictment prepared by the French inhabitants of Louisiana may be recognized most of the complaints which have recurred whenever the United States has colonized former French or Spanish territory: the new citizens naturally

Complaints.

claim all the privileges of the old régime, and also all the benefits of the American political system. However advantageous the English common law is in criminal cases, it sets up principles of inheritance and property rights very different from those to which the Latin races have always adhered. On the other hand, in demanding an elective legislature instead of the small appointed council, the Louisianians clamored for what they had never possessed for a moment under the old régime.

Second Louisiana Act, 1805.

Congress passed another act, January 28, 1805, granting them the second stage of territorial government, with an elective assembly, and promising them speedy admission as a state. Again the new citizens protested because they were not immediately accorded statehood, with senators and a representative on the same terms as Massachusetts or Virginia. Nor had they long to wait. April 10, 1812, when the population was still only 85,000, Louisiana was admitted to the Union.

Admission Act, 1812.

47. Alien Colony in Florida, 1819–1821.

When the Floridas were finally annexed by the Treaty of 1819, very much the same trouble came up again. As in the case of Louisiana, the inhabitants were promised religious freedom, the right to remove into Spanish dominions if they chose, or to be "incorporated in the Union of the United States . . . and admitted to the enjoyment of all the privileges, rights,

and immunities of the citizens of the United States." After some experience of the *pocos dias* delays of Spanish administration, the province was duly transferred to General Andrew Jackson, July 17, 1821; and he at once gave notice that for the time being the old laws continued in force, and the old civil officers would continue their functions.

Governor General Andrew Jackson, 1821.

Under a commission as governor, Jackson was authorized by the President to exercise "all the powers and authorities heretofore exercised by the Governor and Captain General and Intendant of Cuba, and by the Governors of East and West Florida, within the said provinces," except the laying of new taxes and the granting of lands. This fine bold position suited Jackson, and within three months Colonel Callava made bitter complaint of the liberal interpretation given to the powers of "Captain General and Governor." Callava declared that Jackson threatened to put him into a dungeon, a suggestion "which could not but raise a blush in my face, and disorder my stomach in the very act of eating, . . . and I felt myself attacked by a deadly pain." The wicked threat, so distressing to a former governor with imperfect digestion, was carried out by soldiers who "assaulted the house" of Callava, "broke the fence, . . . removed his mosquito net," and then escorted him before the terrible "Don

Callava Controversy, 1821.

Andrew Jackson." That potentate, "with much violence and furious gestures," harangued his prisoner for two hours, in a language which Callava, perhaps to his own peace of mind, did not understand, and finally the governor *in esse* sent the governor *in fuisse* to prison.

Fromentin Controversy, 1821.

Behind the comic side of this episode there were two issues of some importance. Callava was trying to carry away some documents which Jackson considered the public property of his colony; and Jackson was exercising authority such as no person in time of peace could possibly have claimed in any other part of the United States, through troops which could nowhere else be used for such purposes. Since this is a difficulty of a kind likely to occur in our new possessions, it is worthy of note that Fromentin, the federal judge, attempted to release Callava by a *habeas corpus*, which Jackson disregarded; and that Monroe's Cabinet was much perturbed by the happening. John Quincy Adams, however, declared that the argument of separation between civil and military power was not "suited to the occasion. We have acquired a province heretofore governed by military principles and by military rule; . . . all the power formerly exercised by the supreme rulers of the province was vested in the governor." In 1822 this extraordinary use of arbitrary Spanish principles within the

free United States was discontinued, by the organization of a regular territorial government.

48. Anomalous Colony in Oregon, 1803–1848.

A very curious kind of colonization was that of Oregon. Here alone, in our whole territorial history, is a region claimed, occupied, and eventually held as a colony planted in a no-man's-land. From the Lewis and Clark expedition of 1803–1807 to the Oregon Act of 1848 there was never any government on the Pacific coast except the voluntary association of neighbors in local affairs; and from 1818 to 1846 there was a joint occupancy with Great Britain, from which came great dangers and long-standing troubles, but no colonial government. England extended her laws to the region in 1821; but the growing American settlements had neither governors, courts, nor legislatures.

Lessons in Colonization.

For Brother Jonathan the lesson of Louisiana, Florida, and Oregon is that pitfalls lie ready for those who too hastily try to adjust new colonies into the American system of government. In every one of these cases the work of civilization was finally successful, but there are still traces of the old order of things. Louisiana to this day has a special system of civil law; Spanish titles still sometimes vex the courts of Florida; and the Oregon controversy was not finally settled till 1872.

While Brother Jonathan was adding to his

territory, and gaining experience in colonization, a movement had begun for ridding him of a part of his children, by colonizing the free blacks in Africa. The first trouble was to find a part of the earth where persons would be received who, as Jefferson neatly phrased it, were "not malefactors, but guilty of what the safety of society under actual circumstances obliges us to treat as a crime"—that is, men who were determined to be free. In 1820 the first realization of the idea was carried out by President Monroe, in connection with the American Colonization Society, when eighty-six negroes were sent to the African coast. From that time for many years the United States took, in the scattered settlements first known as Liberia and Monrovia, an interest summed up by Amos Kendall as follows: "To colonize captured Africans, to build homes for them, . . . to purchase ships for their convenience, to build forts for their protection, to supply them with arms and munitions of war, to enlist troops to guard them, and to employ the army and navy in their defence." If this be an exaggerated statement, it is certainly true that the permanent site of the colony—at Cape Montserado—was secured by Lieutenant Stockton of the United States ship *Alligator*, and that the United States paid for supplies to keep the colonists alive.

49. Negro Colony of Liberia, 1817–1861.

Colonization Society, 1820.

Liberia a Commonwealth, 1847.

In 1837 the people of these African settlements constituted themselves the commonwealth of Liberia, and in 1847 the little state declared itself sovereign and independent. Like many other small nations, Liberia soon found herself involved in a quarrel with Great Britain. Had the settlement been one of white men, there can be little doubt that the United States would have acknowledged the duty of protecting it. As it was, the administration of President Polk refused even to acknowledge Liberia as an independent nation. England, however, came to terms with the little land, agreed to respect the "sovereignty" of Liberia, and gave her a cutter with four guns — all exactly like a picture in *Punch;* but not till 1862 did the United States recognize Liberia as a sister nation. In 1884 Secretary Frelinghuysen said that "Liberia, although not a colony of the United States, began its independent career as an offshoot of the country, which bears to it a *quasi*-parental relationship."

Liberia recognized, 1862.

Lincoln's Plans, 1864.

The colony of Liberia is almost the only example of an eddy of American civilization turning eastward; and it was too feeble a movement to affect either slavery or territorial rights in America or Africa. President Lincoln made an attempt to revive the scheme by placing a new colony in Central America, and was much disappointed at the refusal of

the Central American colonies to receive free negroes. Perhaps the Liberians may some day be stirred up by the good fortune of the Hawaiians to offer themselves to be a recognized colony of Brother Jonathan's. At present our relation to Liberia is practically that of a protectorate.

50. Colonies of American Indians, 1830–1900.

Much has been said of late about the difficulties of governing inferior races, especially in a colony, and we are left to infer that for such a task Brother Jonathan is both raw and clumsy. To say nothing of the negro question, we have had on our hands, as inhabitants of our colonies ever since 1775, the Indians — pagans, savages, enemies, splendid fighting men, yet wards of the nation. We have never adopted the system, so successful in Cuba in the fifteenth century and in Australia in the nineteenth, of practically exterminating the troublesome race; we have had to grapple with the same difficulties as the English in New Zealand and the Germans in Africa; and we have been no more successful than they.

Foundation of our Policy.

Attempt at Civilization.

Toward these wild men the federal government has always had definite and righteous principles. It has recognized the Indian's right of occupancy in his lands; it has tried to keep him separate from white settlers; and it has looked forward to his civilization. Yet the Canadians, the Mexicans, and the Brazilians

have been more successful than we in harmonizing their natives with their general system of government. Our trouble has been that, in every attempt to give the Indians such a status in our colonial system as is occupied by the Ceylonese under English rule, or the Javanese under Dutch rule, we have run up against a total difference of conditions. Few of the Indians are or ever will be tillers of the soil, and hence ten white families can live on a tract too small for one Indian family; and most of the tribes have no traditional social organization which can be used as a foundation for modern life.

Reservation System.

The reservation system, finally put in force about 1830, has been the essential feature of our Indian colonies, for it provides at the same time personal protection, a kind of local government, and ease of national administration. About 1830 the government adopted the system of closed reservations. The defect of this system as now applied to nearly all of the Indian tribes is best seen in the present condition of the so-called "five civilized nations" — one of the most perplexing of Brother Jonathan's colonial experiments. The Indian Territory has a legal status very like that of the native states of India: there is a little legislature and an executive; there is a tribal title to the lands of the Territory; but everything is in confusion. Legally the lands are held in common, but in

Indian Territory.

one of the tribes about half the land is actually possessed by sixty-one persons. Legally none but persons of Indian blood can share in the privileges of the colony; but if a white man marries an Indian, he thereby becomes an Indian, and their children are "Indians" and share in the tribal property. Legally no one can give title to the lands except the tribe, yet there are towns of five thousand people plumped down on Indian lands without a shadow of tribal grant. Legally the Territory should be reserved for Indians; actually there are nearly five times as many whites as Indians. Legally crime should be repressed by the United States judges in adjoining states and territories; actually, according to Mr. Dawes, one judge has in fifteen years sentenced a thousand desperadoes to be hanged, and the supply seems undiminished.

Domestic dependent Nations.

For the intolerable condition of affairs in the Indian Territory there are several reasons, all of which may suggest the need of wisdom in organizing colonies over the seas. The Indians have for nearly a century been treated as "domestic dependent nations" with whom treaties could be made; and yet they have not the numbers or the stability to protect their lands or themselves from the aggressions of the white so-called "intruders." On the other hand, the five "nations" claim to own grazing, mineral,

and coal lands of such value that it is a piece of luck to be born a Cherokee baby. The tribal system of landholding is not suited to the conditions of the Indians themselves, and the United States has made great efforts to induce them, both in the Indian Territory and in other reservations, to accept land in severalty; but if this is done there is reason to believe that in the long run most of the Indians will part with their individual lands and be left homeless.

To be sure, the deadlock in Indian affairs is not due to the injustice of the government or to the rapacity of officials, but to the character of the Indians and of the frontiersman. In his efforts to prevent fraud Brother Jonathan has so wound himself up in red tape that, in order to issue to a squaw a paper of pins, the words "paper of pins" must be written out in long hand (no abbreviations) in the books of the government twenty-seven times before the little pointed engines of civilization can begin the work. The inability of the United States either to civilize the mass of the Indians where they stand, or to protect them from the greed of the frontiersman, is one of the things which must give greatest anxiety as we look into the future of external colonies with large negro, Hawaiian, or Malay population.

Red Tape.

From most of the dangers of a colonial system the United States has been happily free;

we have never lost a colony in war, or suffered from a colonial insurrection other than Utah outbreaks. The ticklish question of "taxation without representation" is settled by giving the territories a representation, and then paying their governmental expenses out of the national treasury. The only terrible, persistent, and agonizing colonial question we have had is the question of slavery; and it was the direct occasion of the Civil War. The difficulty, simply stated, was that half the Union had slavery and wanted more of it; and half the Union had prohibited slavery and wanted to see it diminish everywhere. Had there been no colonies the question might have worked itself out; but the time came — as it may come again on other questions — when each of the two sections insisted that its system should be applied to the colonies. Down to the Mexican War, the question was settled by giving part of the territories to the South and part to the North — which is as though the protectionists were to control Hawaii, and the free traders Porto Rico.

51. Territorial Slavery as a Colonial Question, 1820–1862.

The Issue.

The Compromise of 1850 practically extended the geographical dividing line to the California boundary by creating a Territory of Utah which it was expected would be free, and a Territory of New Mexico which was to be slaveholding. Unfortunately, the compromise dodged the real issue by using obscure phraseology, and in 1854

Settlement of 1850.

Disturbance of 1854.

the Kansas-Nebraska Act introduced the new and baneful principle of "squatter sovereignty," by which the colonies were left to decide for themselves the momentous question of slavery — as though the people of Luzon might establish a gold standard and those of the Sulu Archipelago stick to silver. The next step was an attempt by the two sections to control the new colony of Kansas by sending emigrants into it; the result was anger, mutual denunciation, rival colonial governments, and a local civil war; an effort was made to force Kansas into the Union with the "Lecompton" slavery constitution, against the known and expressed will of the people. This curious outcome of "popular sovereignty" shocked the moral sense of the nation; and Abraham Lincoln summed up the crisis in his admirable declaration that "A house divided against itself cannot stand. I believe this government cannot continue permanently half slave and half free . . . it will become all one thing or all another." Three years later he was the agent of the nation in putting an end to this great colonial question; and in 1862 he signed an act of Congress destroying slavery in all the territories.

Lincoln's Doctrine, 1858–1862.

Power of Congress.

In thus declaring all the colonies free, Congress did more than to assert a splendid principle of human rights: it settled once for all the question of national supremacy; it asserted

the right of Congress to legislate for the American colonies, both those then existing and such as might later be annexed; it made it certain that henceforth there would be a tolerably uniform system of colonial administration. Of course this gives to Congress precisely those despotic powers the application of which at the hands of Parliament caused our American Revolution. In striking down forever the doctrine of "popular sovereignty," Congress has also precluded any such elastic system as that which binds the Canadian and Australian and South African communities to Great Britain. Congress may permit colonies to govern themselves in minor matters, but it has complete power to legislate for every colony, and no act of a Congress can bind its successors to refrain from exercising its powers.

52. The Recalcitrant Colony of Utah, 1847–1896.

The relations of Congress to Utah include the only colonial insurrection in our history, and mark the highest point which has ever been reached in the direction of annulling colonial statutes and controlling colonial government. The Mormons went out to Utah in 1847, while it was still Mexican, and were much chagrined to find themselves transferred by the Peace of 1848 to the very nation which they had been seeking to escape. In 1850, when the territorial government was organized, Brigham Young was made governor; but in 1857 a new terri-

torial governor was sent out, with troops to back him, and Young called on his people to resist the federal government. In April, 1858, President Buchanan proclaimed the Mormons to be guilty of treason, and they at last yielded. During the Civil War Utah was out of the currents of national life, but in 1862, 1874, 1882, and 1886 Congress passed sweeping acts abolishing the whole Mormon régime. The first, or "Poland Bill," reorganized the courts and checked the corruptions of local judges. The Edmunds Bill of 1882 laid very severe penalties on polygamists, including ineligibility to any office. As this act did not break up the hierarchy of polygamist leaders, a more stringent statute, the "Edmunds-Tucker Act" of 1886, dissolved the corporation known as "The Church of Jesus Christ of Latter-Day Saints," and confiscated its property for the support of schools. After thirty-seven years of resistance to the laws of Congress, the Mormons at last yielded; a convenient "revelation" took away the religious sanction of polygamy; the Church managed to hide most of its property; but the resistance was broken, and in 1896 the long-delayed statehood was conferred.

Though the United States was victorious in the end, the whole affair shows that even a feeble colony may for years defy the public sentiment of the land, and disobey acts of Con-

gress; and the episode shows also how hard it is effectively to deal with questions in which — however wrongfully — appeal is made to the principle of freedom of conscience.

53. Colonial Conditions during Reconstruction, 1865–1873.

The broad principle of colonial regulation seemed very simple in 1862, when there was no expectation of keeping up permanent colonies; for as soon as the seven then existing Territories of Nebraska, Colorado, Nevada, Dakota, Washington, Utah, New Mexico, and Indian Territory should be admitted as states, the question of national dominion over dependencies must disappear. At the end of the Civil War, however, the power of Congress over colonies was invoked in three unexpected directions — in reorganizing the Southern states, in breaking up polygamy in Utah, and in providing for the new colony of Alaska.

At that time and since, the best constitutional lawyers have been unable to frame any theory which fits the case of the seceded and beaten states. Charles Sumner set up the ingenious theory that secession was state suicide, and that the Southern communities had reverted to territories; hence their boundaries might be altered, and it was serenely suggested to obliterate South Carolina from the map. Thaddeus Stevens denied the seceded states even a status as territories, and looked upon them as conquered provinces, to be organized at the pleasure of

Congress. As a fact, the South was for several years kept virtually in a colonial status, subject to a degree and pertinacity of national interference never known by any organized "territory." Military governors were appointed, and these governors removed state officials, made civil appointments, reorganized city governments, ignored state laws, retried persons acquitted by the state courts and pardoned convicted criminals, compelled the judges to call negro jurors, and even presumed to regulate the sale of whiskey. Gradually the Southern states were readmitted to the privileges of the Union, under onerous conditions not required of other states; and in 1871, Georgia, the last reconstructed colony, was readmitted to the Union.

54. Outlying Colonies, 1854-1900.

The experience of successfully carrying on colonies within our continental borders, reached by lines of land transport, and hemmed in by organized states, may not apply to distant colonies reached and defended only by sea. Such dependencies, however, the United States has possessed for more than half a century; and several forms of colonial policy have been marked out for them.

Aves Islands, 1854.

In 1854 certain American citizens found guano deposits on the Aves Islands, a group long known, but then occupied by no power. When Venezuela drove off the guano-seekers, our gov-

ernment exacted an indemnity, on the ground that the lands were, at least for the time being, American soil. A result of the controversy was an act of Congress in 1856, authorizing the President to protect Americans in their occupation of such islands, if not already occupied by some other country. Accordingly, claims have been laid at various times to Cayo Verde, near Cuba, and Alta Vela, off San Domingo, and other small islands, and especially to Navassa Island, just off the coast of Haiti. Here in 1889 and 1890 it was found that contractors were virtually holding their laborers to slavery, and the long arm of Brother Jonathan was stretched out to release them. Between 1841 and 1867 the United States claimed Wake Island, Christmas, and Midway Islands in the Pacific. None of these distant islands is of much consequence; but the principle that the flag will follow the discoverer is a colonial principle.

Navassa.

Coaling harbors have often been discussed as though they had a colonial status; the only ports actually taken over by the government are Pearl Harbor in Hawaii, Samana Bay in Haiti, Pango-Pango Bay in Samoa, Nagasaki in Japan, and Chiriqui Bay in Lower California. Of these five, two are now indubitable parts of the territory of the United States, and none of them has ever received a special government. To be sure, an act of 1842 authorized the Secre-

Coaling Harbors.

tary of the Navy to establish such harbors wherever he thought necessary; but they are held by consent of the power in whose territory they lie, though they undoubtedly incite to annexation and consequent colonization.

The really serious instances of outlying colonies previous to the cessions of Hawaii and Porto Rico are Alaska and Samoa. Alaska had been Russian from the time of discovery, about 1741, till in 1867 it was taken over by the United States, as a favor to Russia, who preferred seven million dollars to a sub-arctic province. No popular sentiment demanded the annexation, and until the sealing troubles of 1884 there was no interest in Alaska, and no definite colonial government. Secretary Seward cast about him for some legal basis for his colony, and found it in an act of 1834 passed for quite a different purpose, and long obsolete, which defined the "Indian country" as a "part of the United States west of the Mississippi." This, said Seward, "by a happy elasticity of experience, widening as our dominions widen, includes the territory ceded by Russia."

Alaska, 1867.

Government of Alaska, 1867–1900.

In 1868 Alaska was made a collection district; and in 1888 "a civil and judicial district," and also "a land district." It was enacted that the laws of the state of Oregon then in force should be the laws of Alaska so far as applicable, and provision was made for a governor and

a court, but no legislature. The principal subject of national regulation has been the seal fishing, for which there has been a series of statutes, contracts with private corporations, executive orders, decisions of courts, and international arbitrations. The Alaska Fur Company has had some rights over the Indians, and somewhat resembles the South-African Company. But for that controversy, and for the recent gold discoveries, the country would be content to leave Alaska in the condition of a formless, unorganized colony, without a governor, a legislature, or a court of its own.

55. Samoa, 1885–1900.

Tripartite Government, 1889–1898.

The colonial status of Samoa was defined by the general act of the conference at Berlin, signed June 14, 1889, and intended to be a permanent adjustment of the rival claims of England, Germany, and the United States to rights in the islands. The official reports of the workings of that conjoint government are droll reading, and furnish a sufficient comment on coöperative colonization. When the council of Apia voted that English silver, but not German marks, should be legal tender, "Freiherr Senfft von Pilsach, Chairman of the Municipal Council," resigned and appealed to Germany; but when four other members of the Municipal Council resigned, the German vice-consul thought that they ought to be punished. The municipality of Apia took the import duties

allowed by the treaty, so that the rest of the kingdom of Samoa was in the condition of Mother Hubbard's dog. It cost $1,246 to collect $4,789 of duties; and the titular king, by aid of the protection of three mighty world powers, was paid a quarterly salary, "in instalments," at the rate of $47.70 per month, till the instalments gave out. The royal government had a right to $20,000 of poll tax on the natives; but the government was able out of this sum to collect only $10. The antics of two drunken sailors ashore have caused the exchange of grave despatches between the ambassadors of the Court of St. James, the Court of Berlin, and the administration at Washington. It is the three kings of Chickeraboo over again — only there was but one king against three discoverers.

Surely Brother Jonathan had more serious business than the adjustment of the affairs of a play kingdom. Whatever the interests of the nation in their fifty thousand dollars a year of Samoan trade, whatever the necessity of protecting American residents in Samoa, whatever the importance of keeping the right to a naval station there, — the colonial system as applied in Samoa was farcical. In 1899 it was replaced by a cession from England and Germany of all claims to the island of Tutuila, containing the harbor of Pango-Pango.

Settlement of 1899.

Our colonization in the Pacific up to the Spanish War of 1898 has not been such as to prepare Brother Jonathan for dealing with rich, prosperous islands, necessary for naval defence. By the treaty ending the War of 1898, and two other treaties made during the war, the United States has acquired undisputed possession of Porto Rico, Hawaii, Tutuila, Midway and Wake Islands, Guam, and the Philippines, besides a lively influence in Cuba.

Acquisitions of 1898–1900.

What light does this experience of the last century and a quarter throw upon the future of American colonization? It shows, in the first place, that the idea of national colonies is as old as the republic, and that during the last fifty years the nation has grown accustomed to outlying dependencies. The annexation of territory and acceptance of protectorates which result from the Spanish War are therefore not signs of a new policy, but the enlargement of a policy long pursued.

56. Discomforts of a Colonial Policy.

Traditions.

In the second place, Brother Jonathan has been very successful in at least one kind of colonization — he has received emigrants from all Western nations, has put them on wild land, together with his own children, and has seen them grow up together into vigorous self-governing colonies. If our future colonies can repeat the conditions of our territories, they must also be successful. Louisiana, Florida, Texas, New

Immigration.

Mexico, Arizona, California, have all become Anglo-Saxon communities; why not also Porto Rico, Cuba, Hawaii, Guam, and Luzon?

If a strong current of American or foreign immigration flows into those regions, it will be contrary to the experience of all other colonizing powers, except Cuba and Porto Rico. There is not a tropical colony on the globe with a considerable European population. Madagascar, Ceylon, Java, Borneo, Sumatra, Jamaica, St. Thomas, — they all have a thin stratum of dominant Europeans, there to make money or to rule, but not to make a new home for their children; for the hewing of wood and the drawing of water they all depend on natives, on imported coolies, or on the descendants of negro slaves. Of our new dependencies, Hawaii alone is likely to become an American community.

No tropical Settlements.

Can the native population be educated up to self-government? We have a national theory, much shattered by the Cubans, that Spanish-Americans love republican self-government. We may trust Porto Ricans as far as we trust Peruvians and Guatemalans, but no farther. Judging from the experience of other nations and of ourselves, the Pacific islands will not be allowed anything like our territorial governments till the French let the Anamites govern themselves, and the English turn Bengal over to the natives; or the Sioux send a delegate to

Colonial Self-government.

Congress, and the negroes are allowed to vote in the Southern states.

Rule of the Few.

The only alternative is the rule of the few — and those few exercising power conferred by a distant administration; but that system means a change in American standards of government and human rights. We must give up our fine contempt for other nations which rule with an iron hand; we must abandon the principle that "all just government depends on the consent of the governed"; we must look on the colonial status as permanent, and not a stage on the way to statehood; we must begin to settle difficult questions of religion and worship by orders from Washington; we must surround our colonial governors with body-guards, and arrest insurgent leaders; we must either yield part of our protective policy, or give up the principle for which our forefathers fought in the Revolution — that colonies exist for their own benefit, and not for the advantage of the mother country; we must yield our practice of free intercourse between the parts of our empire, or else we must admit Chinese to the continent.

Need of Organization.

To avoid these perplexing questions would be very comfortable, but the die is now cast; we take the problems when we accept the responsibilities. The question is no longer, "Shall we face the difficulties of colonization?" but, "How shall we face them?" One way is by adding

no more colonies; another is to try to adapt our government to new strains. For efficient colonial administration we need a Colonial Department, to which shall be committed the questions of lands, natives, appointment of officials, and colonial finance; and we need a sense of colonial responsibility in Congress. That body finally settled the slavery contest and the Utah trouble; but it acts too slowly for efficiency in a colonial policy. We need a public sentiment which will recognize the necessity of trained colonial administrators, who learn to know their people by a lifetime of service. The spirit which has reformed the Treasury and the Indian Bureau must be invoked to create a professional colonial service.

Discontent of the Well-off.

The most serious difficulty of all is that we are trying to apply a good system of Anglo-Saxon government to those who prefer a poor system — to give jury trials to people who think it a shorter cut to bribe the judge. We must learn to show patience to pagans, and toleration for imperfect Christians. In questions of human rights, the limited privileges which we can allow with safety will be freedom in comparison with the previous experience of our new colonists; and in the long run we must trust the American people who freed the negro slaves to deal justly with half-breeds, — Kanakas and Malays, — though justice no longer means political

equality even at home. Whether we like it or not, we have no longer the right to sit quietly under our own vine and fig tree. May it be said of the United States as Bacon said of Rome, "It was not the Romans that spread upon the world, it was the world that spread upon the Romans; and that was the sure way of greatness."

VI

WHAT THE FOUNDERS OF THE UNION THOUGHT CONCERNING TERRITORIAL PROBLEMS

57. Historical Analysis of Expansion, 1775-1900.

"Is there anything whereof it may be said, See, this is new? It hath been already of old time, which was before us." So said the Preacher; and his generalization is nowhere more distinctly exemplified than in the discussions of the last few years over the colonial policy of the United States; for both expansionists and anti-expansionists seem to look upon our present territorial problems as unexampled. In previous chapters an attempt has been made to show how numerous have been the historical precedents for things that seem new in our present foreign policy; and in the question of expansion it is possible to draw a close parallel from the earliest experience of the American republic.

Experience.

Whatever the merits of the present controversy, the question whether it was the intention of the framers of our national government to increase the territory of the Union is one of fact; and the records of that time seem

clearly to show that in the first thirty years of the United States of America — from 1775 to 1805 — the question of territorial expansion was repeatedly presented to the people of the United States, and three times led to annexations; that we had territorial disputes with all our next-door neighbors, and made advances into unexplored and hitherto unoccupied country. Furthermore, within those thirty years the founders of the republic thought they had settled nearly all our present territorial problems: they decided upon the status of conquered territory, the status of ceded territory, the relations of the government to the aborigines, the suppression of disorders in newly-occupied territory, the administration of distant colonies, and the constitutional authority upon which the process of colonization and of colonial government was based.

Episodes.

In this period of three decades it is easy to distinguish four successive territorial episodes. The first was the conquest of the Northwest Territory in 1778, and the consequent acknowledgment of the Mississippi as the western boundary by the treaties of 1782 and 1783; the second was the discussion over territorial powers during the Confederation, and in the federal and state conventions of 1787 and 1788; the third was the question of the navigation of the Mississippi, from 1783 to 1785; the fourth

was the annexation of Louisiana — a great drama played in the three years from 1800 to 1803.

58. Conquest of the Northwest, 1778–1779.

That our forefathers had some notions of territorial conquest may be seen in the important conquests made during the Revolutionary War in the region between the Ohio River, the Great Lakes, and the Mississippi. Thither La Salle's men started, in December, 1681, "to go towards the Divine River, called by the Indians Checagou." Here in 1778 George Rogers Clark entered upon what was far the most adventurous and daring campaign in the Revolution. Clark's expedition was commissioned and sent out by Virginia, and not by the federal government; hence the Virginians claimed exclusive title to the vast regions which were thus annexed. But in the minds of the people of other states the capture was simply a part of the general military operations of the Revolution, and they claimed, with justice, and finally with success, that Virginia must yield the territory to the general government, to be administered for the general good.[1]

La Salle, 1681.

George Rogers Clark, 1778.

Rivalry with France, 1613–1763.

The hot discussions on this subject in and out of Congress, and the pamphlet literature of the time, all show a conception of the ability of the Americans, not only to take territory by the sword, but to hold and govern it

[1] See § 14.

under a colonial status. The easy capture of the Northwest simply shows the fluidity of the territorial conditions of that time. Ever since the first brush between England and France, at Mount Desert, in 1613, there had been a succession of American wars of conquest. In the successive treaties during the eighteenth century England gained from France one piece of territory after another, till, in 1763, France was totally excluded from the continent. It is not strange that to the Americans of that time transfer of territory seemed a natural incident of warfare, and colonization seemed a part of the advance of civilization; though in 1778 it was as clear as it is now that annexation meant a great change in the balance of national forces and in the future growth of the country. The West was already looming up as a political power, and there were not wanting sages who shook their heads at the new and terrible problems which that vigorous region must bring upon the country.

59. Annexation of the Southwest, 1781–1783.

At the end of the Revolution the United States had a most excellent opportunity to remain within the former limits of the thirteen colonies; for in the peace negotiations of 1782 and 1783 it was the distinct purpose of France and Spain, and at times of England, to make the watershed of the Appalachian chain practically the western boundary. When John

ed the other negotiators in Paris he cerned the intention to limit the terri- he United States, and he wrote: "Mr. Frenchmen as little as Mr. Lee and d did. He says they are not a moral ; they know not what it is. He don't like ny Frenchmen. The Marquis de Lafayette is clever, but he is a Frenchman. Our allies don't play fair, he told me. They were endeavoring to deprive us of the fishery, the Western lands, and the navigation of the Mississippi. They would even bargain with the English to deprive us of them. They want to play the Western lands, the Mississippi, and the whole Gulf of Mexico, into the hands of Spain." The British ambassadors at first also informed the Americans that they did not approve giving the Mississippi as a western boundary, for it was too extended, too vast a country.

Three Areas, 1782.

Three different areas, adjacent to the original English colonies, were to be disposed of in the negotiations. First, some of the Americans doubted whether "we could ever have a real peace, with Canada or Nova Scotia in the hands of the English." The second region was the Northwest Territory, in which the Americans had the right of possession by conquest and occupation of a considerable part of the posts. The third area was the territory south of the Ohio River, most of which had not been under

the jurisdiction of any English colony prior to the Revolution.

The three arch expansionists of that period, Franklin, Jay, and Adams, without much difficulty secured English consent to making the Mississippi the western boundary, as required by the instruction of Congress of 1779; but Vergennes, the French prime minister, insisted that "the boundaries of the United States south of the Ohio were confined to the mountains following the watershed." Although, in 1781, Congress had so far retracted as to instruct the envoys "ultimately to govern themselves" by the advice of the minister of France on that subject, the three men in 1782 fearlessly and successfully broke their instructions, accepted the amity of England, and secured a clause in the treaty by which the coveted boundary was obtained for the American people of that time and their posterity. By this magnificent piece of diplomacy the United States secured an unquestioned seat upon the Mississippi River, and thus prepared the way for an ultimate extension across the continent.

Instructions, 1779.

Instructions, 1781.

Treaty, 1782.

Western Boundary.

There were several tender spots in the boundary line, but the only one of immediate importance came from the close neighborhood of the Spanish in the narrow strip along the Gulf known as West Florida, and in the inability of the Americans to secure from the Spanish the

right to navigate the Mississippi to its mouth. But under the terms of the treaty, along the whole boundary line from Lake Itasca southward, and eastward to the Atlantic Ocean, our only neighbor was weak and failing Spain, and the only obstacle to the occupation of the new empire was the objection of powerful savage tribes.

60. Government of Annexations, 1780–1790.

Having thus inaugurated the policy of territorial expansion, our forefathers next set themselves to the great task of furnishing a colonial government for their new possessions; and during the ten years from 1780 to 1790 this was one of the chief concerns of Congress. For a time the little federal government found itself in a contest with several of the larger and more powerful states in the Union; but by a diplomacy scarcely inferior to that of our envoys in Paris, and through a general spirit of patriotism, the claims of all these states were gradually ceded between 1781 and 1802. And thus the United States came into undisputed government over the whole region between the Appalachians and the Mississippi River; the District of Kentucky alone remained a part of the Commonwealth of Virginia till its admission as a separate state of the Union in 1792. It is one of the platitudes of American history that, after Congress had completed the primal national task of securing independence by arms and regis-

State Cessions, 1781–1802.

tering it in treaties, the possession of this great territorial domain was the chief steadying and unifying influence in the later years of the weak Confederation.

The first evidence that Congress had risen to its task was the vote of October 10, 1780, passed before the nation had acquired claim to a single rood of ground, which provided distinctly for the three elementary principles of early American colonialism: (1) That the lands "shall be disposed of for the common benefit of the United States," whereby the nation was pledged against a system of permanent national ownership or leaseholds. (2) That the said lands "shall be granted or settled at such times and under such regulations as shall hereafter be agreed on by the United States in Congress assembled," thus asserting the right to govern territory. (3) That this territory "shall be settled and formed into distinct republican states, which shall become members of the Federal Union." Vote of 1780.

Swift upon the assurance of Congress that it would administer the territory, came a detailed scheme of colonial government. In 1784 Thomas Jefferson reported an ordinance which, with some alterations, was adopted by Congress: it set forth the future boundaries of new states, permitted the settlers to establish their own local governments, and authorized them to establish temporary legislatures, with eventually a dele- Ordinance of 1784.

gate in Congress; and distinctly promised that they should be admitted to full statehood. Fortunately for the school children of a later generation, Congress did not adopt the polysyllabic state names which Jefferson suggested, Metropotamia, Michigania, Pelisipia, Polypotamia, and the rest.

Although there had for fifteen years been some settlements on the upper waters of the Kentucky and Tennessee, none of those communities took advantage of the privileges of the ordinance, and it was not until 1787 that, by a second great territorial enactment, the Northwest Ordinance, a beginning of an organized colonial system was made. By that ordinance the power of Congress to establish for the territory such governments as seemed to be suitable was more distinctly stated. For it set up for the Northwest Territory a double system: first a preliminary territorial government, by an appointive governor and appointive judges; to be followed later by an elective representative assembly. The statutes of the appointive legislature were subject to annulment by Congress; the laws of the elective legislature were subject to the governor's veto power.

Ordinance of 1787.

A bill of rights was added, securing religious liberty, the privileges of just and speedy legal proceedings, "schools, and the means of education," and the prohibition of slavery. Besides the bill of rights, a detailed system of territorial

government was sketched; it was to include two successive stages of administration, — a temporary form, in which the governor and judges appointed by Congress could make laws subject to annulment by Congress, and later a territorial legislature, with a veto power in the governor. Thus, before the adoption of the federal Constitution, a system of colonial administration had been actually inaugurated, and it was expected that the same general principle would be extended to the other inchoate states.

So thoroughgoing and complete was the process, both of annexation and of care for new territories, that in the federal and state conventions of 1787 and 1788 there is almost no reference either to annexation or to territorial government. The clause giving Congress "Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" passed without debate, because it simply registered the practice of the old Confederation. Nobody suggested further annexations, not because they were thought impossible, but because the only danger which men feared was loss of territory. As Patrick Henry said: "If the king of England wished to dismember the empire, would he dare to attempt it without the advice of Parliament? Would it be so in your American government? No." What Henry and what

Constitutional Conventions, 1787–1788.

wiser men feared was that "the Senate, by means of a treaty, might alienate territory, etc., without legislative sanction." It is perhaps not remarkable that no distinct clause authorizing treaties of cession was introduced, for without such a clause in the articles of confederation, the Americans had within five years made such a treaty and had thus come into legal possession of a vast area, of which a large part was not yet organized.

61. Insistence on the Southern Boundary, 1783–1795.

The framers of the Constitution perfectly understood that the power which they gave Congress to make war included the power to conquer territory, and that the power to make treaties included authority to annex by peaceful cession; for in 1788 they were seeking a new territorial treaty with Spain, and some of them were threatening war if the cession were refused. In the negotiations of 1783 no treaty of any kind could be obtained from Spain, a power which looked with justified uneasiness upon the success of rebellious American colonies; but Spain held a region of such value to the Western communities that, in 1784, Washington wrote: "The Western states (I speak now from my own observation) stand, as it were, upon a pivot; the touch of a feather would turn them any way. They have looked down the Mississippi until Spain — very impolitically, I think, for themselves — threw difficulties in their way." The

Danger of Western Secession, 1784.

truth is that the few thousand Western people were in a ferment, and openly threatened secession unless the Union would secure for them the unquestioned right to send their goods down the Mississippi to the Gulf without paying duty to the Spaniards. At the same time the Spaniards, with some show of justice, contested the southern boundary which had been granted without their consent by England, and insisted that the United States extended no farther south than the mouth of the Yazoo, instead of the thirty-first parallel.

Spanish Minister, 1785.

To settle these difficulties there appeared at the seat of government in 1785 Don Diego Gardoqui, bearing a commission from "Don Carlos, by the grace of God King of Castile, of Leon, of Aragon, of the two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarves, of Algeciras, of Gibraltar, of the Canary Islands, of the East and West India Islands, and Terra Firma, of the Ocean Sea; Archduke of Austria; Duke of Burgundy, of Brabant, and of Milan; Count of Apsburg, of Flanders, of Tirol, and of Barcelona; Lord of Biscay and of Molina, etc."

Question of the Mississippi, 1786.

Gardoqui offered a commercial treaty exceedingly acceptable to the merchants of the seaboard, provided the Americans would renounce

all claims to the coveted Mississippi navigation; and Congress yielded the point. At once there arose a storm of protest from the West, and from Virginia as the mother of those settlements. Some canny statesmen coincided with Henry Lee in his suggestion that "in agreeing to the occlusion of the navigation of the Mississippi we give in fact nothing; that the moment our Western country becomes populous and capable, they will seize by force what may have been yielded by treaty." In Kentucky people thought force might more profitably be used at the beginning, and committees of correspondence were raised; in the Northwest Territory the governor seized the property of a Spaniard. James Wilkinson, later ranking officer of the American army, was in treaty with the Spaniards, and accepted an annual pension from them to push the secession of Kentucky. Congress in some alarm proposed forthwith to make Kentucky a state; and finally, by common consent, the whole question went over till the new Constitution could be put in force.

Danger of War, 1792.

Even after the new federal government had begun, the Mississippi question remained serious, and in 1792 Alexander Hamilton said that "while he was for delaying the event of war, he did not doubt it would take place between us for the object in question." Fortunately the Spanish government found it expedient to settle such

disputes, and in 1795 the long controversy over the boundary was amicably adjusted by the acceptance of the line assented to by the United States; and the navigation of the Mississippi was allowed by the so-called "right of deposit" —that is, the privilege of landing goods in Spanish territory and then reshipping them, without responsibility to the Spanish custom-house. Spanish Treaty, 1795.

This settlement proved only a palliative, but it showed the determination of the Americans to stand sturdily by their boundary claims and to secure territorial advantages; and it did not escape the attention of wise observers that it might sometime become necessary to fight for the full possession of the mouth of the Mississippi.

62. Interest in Louisiana, 1795–1802.

During the first decade under the federal Constitution the nation did not yet know its own strength, or venture to predict its own future. The geographer Winterbotham, in 1796, ventured to say: "Federal Americans, collected together from various countries, of various habits, formed under different governments, have yet to form their national character, or we may rather say, it is in a forming state. They have not yet existed as a nation long enough for us to form an idea of what will be, in its maturity, its prominent features. Judging, however, from its present promising infancy, we are encouraged to hope that at some future period,

not far distant, it will, in every point of view, be respectable."

Louisiana desired by France, 1795–1800.

The geographical and political conditions of the time speedily revived the spirit of political extension. Americans could put up with the exclusion from the lower Mississippi and the Gulf, so long as that territory was in the hands of weak and declining Spain. European wars and treaties now began, however, to have far-reaching effects, extending to the New World; for in 1795 and 1796 the French government began to urge upon Spain the transfer of the former French province of Louisiana; and actually secured the cession of the Spanish end of the island of San Domingo. No progress was made until 1800, when Napoleon's representative courteously suggested that "the court of Spain will do then at once a wise and a great act if it calls France to the defence of its colonies by adding Louisiana to them, and by replacing in their hands this outpost of its richest possession in the New World." Yet some consideration had to be offered even by the world-conquering power, and France proposed to make the son-in-law and daughter of the king of Spain king and queen of the new realm of Etruria. Upon this basis was concluded the Treaty of San Ildefonso, of October, 1800, by which Louisiana was ceded to France, "with the same extent that it now has in the hands of

Cession of 1800.

Spain and that it had when France possessed it, and such as it should be in conformity with the treaties entered into between Spain and other states." Poor Spain, having thus begun the process of colonial decay by parting with Louisiana for a bauble, was deprived even of the bauble; for the new king and queen of Etruria found themselves to be but puppet sovereigns, everywhere limited and harassed by French officers, who practically relieved them of the cares of state.

Month after month passed without the expected order for the transfer of Louisiana, and in August, 1801, Napoleon, in one of his masterful letters, said: "It is at the moment when the First Consul gives such strong proofs of his consideration for the king of Spain, and places a prince of his house upon a throne which is fruit of the victories of French arms, that a tone is taken toward the French Republic such as might be taken with impunity toward the Republic of San Marino. . . . The First Consul will never persuade himself that his Catholic Majesty wishes to insult the French people and their government at the moment when these are doing so much for Spain. This would suit neither his heart nor his loyalty, nor the interest of his crown."

Napoleonic Threats, 1801.

In the middle of 1802 rumors of the transfer spread to America, and in October Spain with-

Alarm in the United States, 1802.

drew the right of deposit, that is, the right of transit without payment of duties, and did not assign the new place promised by the Treaty of 1795. It was plain that the colony would speedily be transferred, and that the French would receive it with the right of navigation suspended.

Jefferson's Policy, 1802.

From a quiet, peaceful, friendly, home-loving nation the American people were instantly transformed into an expansionist power. No man was less inclined to use force for private or political ends than Thomas Jefferson — philosopher, scientist, skilled farmer, buyer of books, writer of letters, expounder of human freedom, and President of the United States — yet upon him fell the task of leading the nation into an unexpected course of territorial extension. In his famous letters of April and October, 1802, to his friend Dupont and to our minister Livingston, he made evident at the same time his desire for peace, his sense of danger from the French occupation, and his willingness to ally with England in order to prevent it. "We see," he said, "all the disadvantageous consequences of taking a side, and shall be forced into it only by a more disagreeable alternative; in which event we must countervail the disadvantages by measures which will give us splendor and power, but not so much happiness as our present system. . . .

There is on the globe one single spot the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants. France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. . . ."

Threat.

The old-time friend of France did not stick. He goes on as follows: "The day that France takes possession of New Orleans fixes the sentence which is to retain her forever within her low-water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force, for which our resources place us on very high ground; and having formed and connected together a power which may render reënforcement of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for the tearing up of any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the united British and American nations."

That these principles were the principles of the nation was shown by the readiness with which Congress supported the thoroughgoing measures proposed by the President. The Federals, then in opposition, outdid the President by an immediate and vehement demand for war. Senator Ross moved that fifty thousand men be raised, and that New Orleans be seized out of hand — a step which must have led to immediate war with France; and Jefferson said with some bitterness that the Federalists "were trying to attach the Western country to them as their best friends, and thus to regain power."

Congress, 1803.

63. Annexation of Louisiana, 1803. Jefferson's marvellous control over Congress enabled him to check the Federalists, and at the same time to take three decided steps — in January, 1803, Monroe was sent as a special envoy to Paris; in February $2,000,000 were appropriated for the purchase of territory; and in March the enlistment of eighty thousand volunteers was authorized. Even at this time, however, not the faintest thought of the purchase of the whole territory of Louisiana appears to have crossed Jefferson's mind. "The country which we wish to purchase," said he, "is a barren sand, six hundred miles from east to west and from thirty to fifty miles from north to south"; and in his instructions to Monroe and Livingston they were directed to obtain New Orleans and West and East Florida, or as much of them

Negotiations for West Florida, 1803.

as could be had — that is, to extend the western boundary down the Mississippi to its mouth, and the southern boundary from the thirty-first parallel to the Gulf. Failing in this negotiation, the envoys were instructed to make a military combination with England.

This was not the first or the last time that the United States sought a small territory and got a large one. Just as George Rogers Clark's capture of two frontier posts gave rise to the occupation of a vast territory between the Mississippi and the mountains, and just as the expedition to Cuba led to the annexation of the Philippine Islands, so Monroe and Livingston sought for twenty thousand miles of barren sand and brought home six hundred thousand miles of empire.

Napoleon on Louisiana, 1803.

People speak of the "Louisiana negotiations" as though there had been two sides and a balancing of propositions. In reality the province was thrown to the United States, as the Caliph Harun-al-Rashid might have given a palace to a poor merchant who had admired the portico. While Livingston was toiling for West Florida, one day Marbois, the French negotiator, threw out, "as a suggestion of his own," that perhaps the United States would offer a price for all Louisiana. Livingston hesitated, and suggested $6,000,000, pleading lack of powers. The next day he was joined by Monroe, and together

they agreed that some arrangement must be made.

Livingston would hardly have continued to haggle over the price had he known the powerful influences brought to bear on Napoleon. Lucien and Joseph Buonaparte went to see their brother even in his bath, and Joseph ventured to declare, "I will be the first one to place myself, if it is necessary, at the head of the opposition which cannot fail to be made to you." The First Consul replied only with a burst of sardonic laughter.

"Laugh, laugh, laugh, then!" said Joseph, "nevertheless I will do what I say, and though I do not like to mount the tribune, this time they shall see me there." "To these words," reports Lucien, "the Consul, lifting himself halfway out of the bathtub, in which he had sunk down again, said to him, in a tone which I will call energetically serious and solemn, 'You will have no need to stand forth as the orator of the opposition, for I repeat that this discussion will not take place, for the reason that the plan which is not sufficient even to obtain your approbation, conceived by me, negotiated by me, will be ratified and executed by me all alone — do you understand? — by me, who snap my fingers at your opposition.'"

No longer was resistance possible against this terrible man. The American offer of

$15,000,000 for the territory was accepted, and on April 30, 1803, the treaty was duly made. The ceremonies of transfer, then novel in the experience of the United States, may perhaps be a useful precedent: "Being convened in the hall of the Hôtel de Ville of New Orleans," reported Governor Claiborne and General Wilkinson, "the commissioners accompanied on both sides by the chiefs and officers of the army and navy, by the municipalities and divers respectable citizens of their respective republicks, . . . Citizen Loussat . . . delivered to the said Commissioners of the United States in their publick sitting the keys of the city of New Orleans, declaring that he discharges from their oaths of fidelity to the French Republick the citizens and inhabitants of Louisiana."

Louisiana ceded, 1803.

Transfer of Louisiana, 1803.

So completely Americanized are the present states of Louisiana, Arkansas, Missouri, Texas, and Florida, that we do not realize how alien in spirit they were when they entered our boundaries, and what difficulties had to be overcome in their colonial development. When Louisiana was annexed in 1803, it had a population of about 42,000, as against 5,500,000 in the rest of the United States. There was a state church, a system of civil law founded on Roman jurisprudence, and most of the people, black and white, understood no language except French. Since 1769 the government had been the harsh

People of Louisiana, 1803.

and corrupt rule of Spanish officials, themselves disliked by the people.

To complete the transaction Jefferson had to deal with a Senate which must confirm the treaty, and a Congress by which the necessary money must be voted; and in the discussion of the question in the Senate and House the various opinions of the American people were distinctly brought out. In the special session of Congress called to consider the Louisiana treaty in October, 1803, the territorial powers of the United States and the relations of the new country were for the first time clearly analyzed.

64. Contemporary constitutional Objections to Annexation, 1803.

A somewhat indolent gentleman, who found it troublesome to perform his devotions every night, simply wrote a prayer, which he pinned to the head of his bed, and remarked, from evening to evening, "Lord, those are my sentiments." It would seem as though the same labor-saving device might well be applied to the discussions of territorial policies and powers, for in the debates of 1898 and 1899 were stated with more prolixity and less cogency the same passionate objections and the same rejoinders which busied the minds of the Senate and the House in October, 1803. A summary of the arguments, pro and con, with some brief extracts, may therefore serve as an unconscious commentary upon the questions of Cuba, Porto Rico, and the Philippines.

First of all came the question whether, in strict international law, France had anything to transfer. The Spanish government lodged a protest against the cession of the province, on the ground that it had not been paid for, that it had not been transferred, and that France had promised never to cede it to any other power than Spain. This question Jefferson quietly but effectively disposed of by saying that we had our title from Napoleon, and "did not doubt his guarantees." French Title.

The constitutionality of the annexation of territory in some form was admitted even by Pickering, the great anti-expansionist of his time, who declared that he "had never doubted the right of the United States to acquire new territory, either by purchase or by conquest, and to govern the territory so acquired as a dependent province, and in this way might Louisiana have become a territory of the United States, and have received a form of government infinitely preferable to that to which its inhabitants are now subject"; and Taylor insisted that the words of the treaty were "literally satisfied by incorporating them [the people of Louisiana] into the Union as a territory and not as a state." Federal Doctrine.

Pickering, however, laid down two limitations upon the admission of territory. The first was that "a treaty to be thus obligatory must not contravene the Constitution, nor contain any Admission into the Union.

stipulations which transcend the powers therein given to the President and Senate"; therefore he objected to that article of the treaty which provided that "the inhabitants of the ceded territory shall be incorporated in the Union of the United States." Pickering's second objection was not only far-fetched, but was later refuted practically in the annexations of Louisiana and Texas. "He believed the assent of each individual state to be necessary for the admission of a foreign country as an associate in the Union, in like manner as in a commercial house the consent of each member would be necessary to admit a new partner into the company." A mare's nest was found by Pickering in the danger that France would reclaim the province, if the Louisianians were not speedily admitted to the Union: "If, therefore, in respect to the Louisiana treaty, the United States fail to execute, and within a reasonable time, the engagement in the third article (to incorporate that territory into the Union), the French government will have a right to declare the whole treaty void. We must then abandon the country, or go to war to maintain our possession."

Unanimous Consent.

Voidance of the Treaty.

French Shipping.

Another constitutional stumbling-block was the article of the treaty which for twelve years admitted ships of France and Spain into the ceded territory without special tonnage duties, a privilege which the Federal Tracy said "is

giving a commercial preference to those ports over the other ports of the United States."

Constitution contemplates no Accessions.

The argument that the Constitution was not framed for extension of territory was thus stated by G. Griswold: "It was not consistent with the spirit of the Constitution that territory other than that attached to the United States at the time of the adoption of the Constitution should be admitted; because at that time the persons who formed the Constitution of the United States had a particular respect to the then subsisting territory." Griswold also clearly enounced the doctrine that the lower House must participate in all admission of territory, and that Congress must stand against the President: "If the right of extending our territory be given by the Constitution, its exercise is vested in the Legislative branches of the government. . . . He contended, therefore, that the power to incorporate new territory did not exist, and that, if it did exist, it belonged to the Legislature, and not the Executive, to incorporate it in the Union. If this were the case, it was the duty of the House to resist the usurped power exercised by the Executive." Reference was also made to the principle that the authority of Congress must be distinctly set forth in the Constitution: "If such a power be not expressly vested, it must be reserved to the people."

Executive Usurpation.

So evident were the practical advantages of

annexing Louisiana that much of the anti-annexation argument was directed against the future creation of a new state, from which would come senators and representatives. Even Roger Griswold admitted that "a new territory and new subjects may undoubtedly be obtained by conquest and by purchase; but neither the conquest nor the purchase can incorporate them into the Union. They must remain in the condition of colonies, and be governed accordingly. The objection to the third article is not that the province of Louisiana could not have been purchased, but that neither this nor any other foreign nation can be incorporated into the Union by treaty or by a law."

Future Statehood.

John Randolph, effectively, though somewhat rudely, recalled the recent Federalist desire to fight for the navigation of the Mississippi. "If then," said he, "to acquire the navigation of the river, with the bare right of deposit, would have justified hostility, surely the acquisition of the island of New Orleans and both banks of the river, giving a perfect security to our navigation, and the entire, uninterrupted control of the river, would have justified an appeal to arms — unless the unlucky ingenuity of the gentleman from Connecticut [R. Griswold] would undertake to prove that a part was less than the whole; and that although the attaining of a qualified and precarious right to a given object furnished

Randolph's Quip.

good cause for war, yet to acquire an unqualified and secure right to the same object would not justify hostility."

65. Contemporary Objections of Expediency against Louisiana, 1803.

The Senate and the House of 1803, the people of that time, the experience of a century, and common sense, unite in the conclusion that the United States may constitutionally acquire territory by either conquest, purchase, or voluntary cession, and that out of that territory may be created new federal states. But this does not touch that question of expediency, upon which the objectors of 1803 expended so much ingenuity. As Breckinridge expressed it: "Unfortunately for the gentlemen, no two of them can agree on the same set of objections; and what is still more unfortunate, I believe that no two of them concur in any one objection. In one thing only they seem to agree, and that is to vote against the bill. An honorable gentleman from Delaware (Mr. White) considers the price to be enormous. An honorable gentleman from Connecticut who has just sat down (Mr. Tracy) says he has no objection whatever to the price; it is, he supposes, not too much. An honorable gentleman from Massachusetts (Mr. Pickering) says that France acquired no title from Spain, and therefore our title is bad. The same gentleman from Connecticut (Mr. Tracy) says he has no objection to the title of France; he thinks it is a good one. The gentleman from Massachu-

setts (Mr. Pickering) contends that the United States cannot, under the Constitution, acquire foreign territory. The gentleman from Connecticut is of a different opinion, and has no doubt but that the United States can acquire and hold foreign territory, but that Congress alone has the power of incorporating that territory into the Union. Of what weight, therefore, ought all their lesser objections be entitled to, when they are at war among themselves on the greater one?"

Distance. The favorite objection was the distance of the new territory. As White expressed it: "But as to Louisiana, this new, immense, unbounded world, if it should ever be incorporated into this Union, which I have no idea can be done but by altering the Constitution, I believe it will be the greatest curse that could at present befall us. . . . You had as well pretend to inhibit the fish from swimming in the sea as to prevent the population of that country after its sovereignty shall become ours. To every man acquainted with the adventurous, roving, and enterprising temper of our people, and with the manner in

Emigration. which our Western country has been settled, such an idea must be chimerical. Thus our citizens will be removed to the immense distance of two or three thousand miles from the capital of the Union, where they will scarcely ever feel the rays of the General Government. Their affec-

tions will become alienated; they will gradually begin to view us as strangers; they will form other commercial connections; and our interests will become distinct. These, with other causes that human wisdom may not now foresee, will in time affect a separation, and I fear our bounds will be fixed nearer to our houses than the waters of the Mississippi. We have already territory enough, and when I contemplate the evils that may arise to these states from this intended incorporation of Louisiana into the Union, I would rather see it given to France, to Spain, or to any other nation of the earth, upon the mere condition that no citizen of the United States should ever settle within its limits, than to see the territory sold for an hundred millions of dollars and we retain the sovereignty."

Secession.

No Need.

To these difficulties of immense distance and lack of cohesion, was added the argument that the territory and its inhabitants were distinctly undesirable. As Tracy put it: "The principle of admission, in the case of Louisiana, is the same as if it contained ten millions of inhabitants; and the principles of these people are probably as hostile to our government, in its true construction, as they can be, and the relative strength which this admission gives to a Southern and Western interest is contradictory to the principles of our original Union as any can be, however strongly stated." Another

Character of Inhabitants.

Sectional Argument.

member, Griffin, took up the question of the health of the settlers and troops. He "feared the effects of the vast extent of our empire; he feared the effects of the increased value of labor; the decrease in the value of lands, the influence of climate upon our citizens who should migrate thither. He did fear (though this land was represented as flowing with milk and honey) that this Eden of the New World would prove a cemetery for the bodies of our citizens."

Health.

Constitution for us alone.

Another, R. Griswold, plainly stated the political principle that charity begins at home. "The government of the United States was not formed for the purpose of distributing its principles and advantages to foreign nations. It was formed with the sole view of securing those blessings to ourselves and our posterity." The dangers of wars with the natives was not forgotten. As White put it: "It may be productive of innumerable evils, and especially of one that I fear even to look upon. Gentlemen on all sides, with very few exceptions, agree that the settlement of this country will be highly injurious and dangerous to the United States; but as to what has been suggested of removing the Creeks and other nations of Indians from the eastern to the western banks of the Mississippi, and of making the fertile regions of Louisiana a howling wilderness, never to be trodden by the foot of civilized man, it is impracticable."

Native Wars.

Another objection was the cost of the territory. White declared "that under existing circumstances, even supposing that this extent of territory was a desirable acquisition, fifteen millions of dollars was a most enormous sum to give." Another argument, stated by Mr. Wells, was the distrust of the President's influence: "The question which presents itself to my mind is, who shall judge whether the French government does or does not faithfully comply with the previous condition? The bill on your table gives to the President this power. I am for our retaining and exercising it ourselves. I may be asked, why not delegate this power to the President? Sir, I answer by inquiring, why we should delegate it? To us it properly belongs; and unless some advantage will be derived to the United States, it shall not be transferred with my consent." Expense.

To sum up the objections to the treaty: France had no right to cede it; the United States had no right to receive it, under the conditions of the treaty; it was not worth having on any terms; it was [illegible]t; it would disturb the balance of the Union; [illegible] would draw valued inhabitants from other pa[illegible] of the United States; it would poison the setti[illegible]rs; the treaty was an extra-constitutional proceeding; the President and Senate did not represent the opinion of the country; and patriotic men ought to oppose Summary.

"such a pernicious measure as the admission of Louisiana, of a world, and such a world, into our Union."

66. Contemporary Arguments for Annexation of Louisiana, 1803.

In those distant times, as at the present day, some men thought the annexation of territory *prima facie* desirable, and were willing to face the difficulties and dangers of the process. The most cogent of these was John Quincy Adams, then Senator from Massachusetts. His argument is set forth in two striking passages: "Allowing even that this is a case for which the Constitution has not provided, it does not in my mind follow that the treaty is a nullity, or that its obligations, either on us or on France, must necessarily be cancelled. . . . Notwithstanding the objections and apprehensions of many individuals, of many wise, able, and excellent men, in various parts of the Union, yet such is the public favor attending the transaction which commenced by the negotiation of this treaty, and which I hope will terminate in our full, undisturbed, and undisputed possession of the ceded territory, that I firmly believe that if an amendment to the Constitution, amply sufficient for the accomplishment of everything for which we have contracted, shall be proposed, as I think it ought, it will be adopted by the legislature of every state in the Union."

Imperialism considered.

The danger of imperialism to free institutions was considered and confronted by Elliot, who

found the joint in the harness of the opposition with the phrase: "Indeed the gentlemen who deny us the right of acquiring by purchase, would probably allow us to keep the territory, were it obtained by conquest. . . . Evils and dangers may be apprehended from this source, and great evils and dangers may possibly result. . . . If we cannot find in the peculiar principles of our form of government, and in the virtue and intelligence of our citizens, a sufficient security against the dangers from a widely extended territory, in vain shall we seek it elsewhere. There is no magical quality in a degree of latitude or longitude, a river or a mountain."

Natural Expansion.

The inherent right of the nation to increase territory was defended by Nicholson: "Had I been asked anywhere but in this House whether a sovereign nation had a right to acquire new territory, I should have thought the question an absurd one. It appears to me too plain and undeniable to admit of demonstration. Is it necessary to resort to ancient authorities to establish a position which is proved by the conduct pursued by all nations from the earliest periods of the world, and which arises from the very nature of society?"

Strain of Colonies.

The ability of the country to bear the strain of colonies was defended by John Randolph: "But it is dreaded that so widely extended a

country cannot subsist under a republican government. If this dogma be indisputable, I fear we have already far exceeded the limits which visionary speculatists have supposed capable of free government. This argument, so far as it goes, would prove that, instead of acquiring, we ought to divest ourselves of territory."

Executive Authority.

The authority of the President to establish a temporary government was clearly set forth by Jackson: "Gentlemen, indeed, had doubted, on a former occasion, the propriety of giving the President the power of taking possession and organizing a temporary government, which every inferior officer, in case of conquest or cession, from the general to the subaltern, if commanding, has a right to do; but I little expected these doubts, after we had gone so far. For my part, sir, I have none of those fears. I believe the President will be as cautious as ourselves." The same speaker ventured a reference to posterity: "In a century, sir, we shall be well populated, and prepared to extend our settlements, and that world of itself will present itself to our approaches, and instead of the description given of it by the honorable gentleman, of making it a howling wilderness, where no civilized foot shall ever tread, if we could return at the proper period we should find it the seat of science and civilization."

Posterity.

Though bold enough to enlarge his country,

Jefferson still had constitutional qualms, which were not removed by the Senate vote of 24 to 7 ratifying the treaty, nor by the House vote of 90 to 25 granting the necessary appropriation. Hence the President drew up a constitutional amendment intended to be an indemnity for him, and to define the principles of annexation for later times; but his own friends laughed at the idea, and from that day to this the territory has remained a part of the United States, with no further constitutional controversies.

Treaty ratified.

So far in the territorial history of the country all the annexations, except that of the Southwest, had come about through force of circumstances rather than any determined plan of the American government. The only annexation as yet proposed by the President had been the Floridas, which did not come to the United States by the treaty of 1803, and were secured only by a later process of mingled force and diplomacy. The annexation of Louisiana plainly enlarged the imagination of the President, who was the first man in the country to awake to the importance of a Pacific front. In 1787, while still ambassador to France, Jefferson fell in with one John Ledyard of Connecticut, and proposed to him to cross Asia to the Pacific, and thence to the west coast of America, "to follow down into the latitude of the Missouri, and penetrate it, and through that

67. Spirit of Annexation as to Oregon, 1803–1807.

Jefferson's Scheme, 1787.

to the United States." Ledyard was turned back by the Russian government; but in 1792 the attention of Jefferson, as Secretary of State, was attracted to the discovery of the Columbia River by the ship *Columbia* of Boston; and he suggested that the American Philosophical Society should send explorers in the reverse direction, "ascending the Missouri, crossing the Stony Mountains, and descending the nearest river to the Pacific."

Jefferson's Interest, 1792.

As President, Jefferson had a better opportunity to carry out these views, and in January, 1803, just before the Louisiana question blew up into a storm, he asked and obtained an appropriation to send an exploring party across the continent, and he designated as head of the expedition Meriwether Lewis, then his private secretary. It was fortunate for the country that the man who stood at the head of the government was keen in geographical science, and showed a determination to take advantage of favorable opportunities for the extension of territory. Before the expedition could get off, Louisiana had been ceded, but Lewis's instructions were drawn before the news arrived, and to Jefferson must therefore be credited something more than mere scientific interest in exploring the upper Missouri and finding a practical road across the mountains. The instructions were an excellent example of shrewd

Jefferson's Plan, 1803.

Instructions to Lewis.

and judicious preparation: Lewis was instructed to map the rivers by accurate determinations of longitude and latitude, to make several copies of his notes, and especially to study the characteristics and trade of the Indians.

So well were these instructions followed that nine members of the expedition kept journals, most of which have been made public; and hence we have a most entertaining and romantic account of the first expedition of discovery sent out by the United States of America. Too late to ascend the Missouri in 1803, they started up in May, 1804, with forty-five men, and after one hundred and seventy-one days' travel, found themselves sixteen hundred miles up the river. In the spring of 1805 they set out once more, guided by the mysterious "Bird woman" carrying her pappoose; and on August 12 they reached a place where one of the party bestrode the Missouri River, up which they had labored so many months, and a part of the expedition then went on to a point on the mountains whence the streams flowed away westward. In November they reached the mouth of the Columbia, four thousand miles from St. Louis.

Journals.

On the Missouri, 1804.

On the Pacific Slope.

The political importance of this adventurous journey lies in the fact that Jefferson set the example for expeditions of a similar kind, and thus forged the most important link in that chain of claims which eventually gave us the

Importance.

Pacific coast. A few years later John Jacob Astor established a fur-trading station in the region made known by Lewis and Clark; still a few years and there began the movement of that band of hardy settlers who were to occupy the land, and to complete the right of the United States to its share of savage America. Sooner or later the tide of exploration, of settlement, and of occupation must have rolled up the Missouri Valley and over to the Pacific. It was the peculiar service of Jefferson to anticipate this intrusion and to prepare for the expansion of the United States.

Land-hunger.

If this study were carried farther forward, the same evident, hearty, and unappeasable Anglo-Saxon land-hunger would be found appearing in the War of 1812, in the boundary controversies with Great Britain, in the annexations of Texas and California. Whether that was a right and wholesome hunger must be determined from the last fifty years of national history. But wise or unwise, far-seeing or haphazard, consecutive or accidental, good or evil, the policy of our forefathers was a policy of territorial extension, and they met and supposed that they had surmounted most of the problems which have now returned to vex American public men, and to give concern to those who love their country.

VII

THE MONROE DOCTRINE AND THE DOCTRINE OF PERMANENT INTEREST

68. Various Monroe Doctrines.

SOME years ago it was the pleasure of the writer to hear from the lips of one of the most distinguished Tammany district leaders a public defence of his *alma mater*. "Tammany Hall," said this patriot, "is a benevolent institution; Tammany Hall is a patriotic institution; Tammany Hall is a philanthropic institution; Tammany Hall has the honor of being the first to propose that immortal Monroe doctrine which blesses and revivifies the world." This remarkable statement suggests widespread popular interest in a doctrine the scope of which appears to be very different in different minds. To the statesman, the editor, the orator, and the writer of magazine articles, the phrase "Monroe doctrine" appears often very like "that blessed word, Mesopotamia," which so comforted and invigorated the poor old mother in Israel; it is a cult rather than a clearly defined principle.

Out of the many senses in which this perhaps overworked phrase has been used, four may be

Analysis.

selected as the most important and most widely known. The first of these is the original principle as stated by President Monroe in 1823. The second is Polk's averment — from 1845 to 1849 — that it is the duty of the United States to annex American territory lest it be annexed by European countries. The third doctrine, stated by Secretary Blaine in 1881, holds that the United States is sole guardian of the transit across the American Isthmus, and the arbiter of disputes between Latin-American powers. The fourth doctrine, formulated by Secretary Olney in 1895, is that the United States is sovereign in America, that the British colonies in America are temporary, and that these declarations are a part of international law.

Possible Substitute.

Plainly all these various principles of international policy cannot be one and the same doctrine. Without criticising later American statesmen for looking at things differently from President Monroe, and without overlooking the truth that this nation has an interest in American affairs beyond that of any other power, it is time to inquire what policy in American relation is best and likeliest to advance our permanent national interest; and to ask whether it is longer necessary to express the aspirations of the United States in a worn-out formula which no longer has a fixed and vital meaning in our minds. Surely it is one of the humors of his-

tory that an envoy whose diplomacy was discredited by both Washington and Jefferson, a President who did not invent his own doctrine, should go down to posterity as a political seer who could frame a controlling principle of guidance in international affairs, still to have unabated force eighty years after the crisis which called it forth.

69. Origin of the Monroe Doctrine, 1823.

Not much space need be expended on an account of the origin of the Monroe doctrine. All the world knows that in 1823 there existed in Central and South America a group of about a dozen Latin-American states, recently revolted, practically independent inasmuch as the mother country could not subdue them, some of them already recognized by the United States as independent nations, yet obstinately claimed by Spain as still her possessions.[1]

Latin-American States.

Upon the other side of the water there was between the great European powers an understanding, commonly called the Holy Alliance, the purpose of which was to keep the peace of Europe. In 1823 Spain was restored to its tyrant by a French army acting for united Europe, and the tyrant naturally appealed to his sponsors to extinguish the flame of rebellion across the ocean. The project meant the closing of the recently opened Latin-American markets to the general commerce of the world;

Proposed Intervention, 1823.

[1] See § 8.

and Great Britain, who had both commercial and political reasons for standing in the way, gave warning to the United States, and even offered to join in a declaration against European intervention in America. At the same time, though from independent reasons, Russia made claim to the whole northwestern coast of America, as a country never occupied by a civilized nation, and thus set herself counter to the broad-minded project of a Pacific colony, which had for twenty years been dear to Jefferson.

No one who knows the cautious and somewhat sluggish mind of Monroe could suppose *a priori* that he had the genius to meet and counteract the double danger; the real author and probable penman of the famous declaration of 1823 was John Quincy Adams, then Secretary of State. He had already rapped the knuckles of the Russian ambassador on the Oregon question, and he threw all his immense energy into the task of nerving up the President to a strong announcement. The result was the annual message of December 2, 1823, embodying what was thereafter called "The Monroe Doctrine," the essentials of which are three statements. The first, which immediately follows a discussion of the Russian claims to Oregon, and is quite separate in the context from the part of the message relative to Latin-America, is the statement that "The American

John Quincy Adams's Doctrine.

continents, by the free and independent condition which they have assumed, are henceforth not to be considered as subjects for future colonization by any European power." The second point is that of intervention in the new Spanish-American states; the most significant phrase is, "We could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European power, in any other way than as the manifestation of an unfriendly disposition toward the United States." The third point relates to the system of European alliance, to prevent revolts: "It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness."

These three positive declarations are in every case offset, or conditioned, by negative statements. In the first place, Monroe expressly disavowed hostility to the possessions of foreign powers in Canada, Alaska, and the West Indies, in the words, "With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere." In the second place, he disavowed any hegemony of the United States among the American powers: "In their career we have not interfered, believing that every people have a right to institute for themselves the government which in their

Monroe on foreign Power in America.

judgment may suit them best." In the third place, he expressly based his right to protest against European intervention on our withdrawal from European interests: "Our policy in regard to Europe, which was adopted at an early stage in the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers." And elsewhere, "It is only when our rights are invaded or seriously menaced that we resent injuries or make serious preparations for defence."

Monroe on American Power in Europe.

Grounds of Monroe's Doctrine.

It will be seen that the Monroe doctrine was not intended by Monroe to be a code of international law, but was called out by a special set of circumstances long since outgrown — aggressions by Russia and by allied Europe. So far as it referred to the future, the doctrine was intended to state a kind of *quid pro quo;* this is sufficiently plain from Jefferson's oft-quoted letter of advice to Monroe: "Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe. Our second, never to suffer Europe to meddle with cisatlantic affairs."

In other words, Monroe asserted that we would intervene in America, even though there were no distinct aggression upon us, while in Europe we would intervene only when our interests plainly demanded it. A case in point

happened in the same year, 1823. The Greeks revolted and asked diplomatic recognition. Adams replied: "While cheering with their best wishes the cause of the Greeks, the United States are forbidden by the duties of their situation from taking part in the war, to which their relation is that of neutrality. At peace themselves with all the world, their established policy and the obligations of the laws of nations preclude them from becoming revolutionary auxiliaries to a cause which could involve them in war." Greece, 1823.

Even the guarded language of Monroe's message was held not to mean a pledge to the Latin-American powers to protect them by armed force. It still remained the policy of the nation to decide questions for herself when they came, without any preliminary promise to be bound by the action of other American states. In 1825 the United States was invited to attend a congress at Panama, the object of which was to devise means for making effective the threat in the Monroe Doctrine. Adams, however, — then President, — limited the action of the American delegates to "an agreement between all the parties represented at the meeting, that each will guard, by its own means, against the establishment of any European colony within its borders." This disclaimer of joint responsibility was too decided for the House of Representatives, Panama Congress, 1825–1826.

which passed a resolution setting forth "that the people of the United States should be left free to act, in any crisis, in such a manner as their own honor and feeling may at the time dictate."

70. Glosses on the Monroe Doctrine, 1823–1895.

Much trouble and confusion might have been saved had Monroe and Adams taken out a copyright upon the term "Monroe doctrine," and so distinctly confined the term to the state policy that they had in mind. When Polk became President in 1845 the Oregon question had revived in a new form, and in his first annual message he deemed it "a proper occasion to reiterate and reaffirm the principle avowed by Mr. Monroe"; but he added a statement, nowhere implied in the original doctrine: "It should be distinctly announced to the world as our settled policy that no future European colony or dominion should, with our consent, be planted or established on any part of the North American continent." Yet even Polk based the right to oppose European colonies, even though planted with approval of other American powers, upon the non-interference of America in Europe.

Polk's Doctrine, 1845.

Notwithstanding this bold announcement, the President, a few months later, gave up his principle of colonization by accepting a part of Oregon Territory, and showed his friendship to Latin-America by making war on Mexico.[1] In

Oregon in 1846.

[1] See § 17.

1848 Polk wanted to annex Yucatan, and he found his authority in the other and long-neglected branch of the Monroe doctrine: annexation, he said, would prevent the Yucatanese from offering themselves as a colony to some European power, and thus introducing the "political system" of Europe. Whether or not this reasoning was sound, it certainly was not Monroe's.

Polk's Doctrine in 1848.

About the same time, American foreign policy was brought to a point on the question of an isthmus canal. Polk was not an anti-expansionist; in fact, his foreign policy might justify him in appropriating the Dey of Algiers's compliment to the Duke of Kent: "Your father, the king of England, is the greatest pirate in the world; and I am second to him." There is, therefore, something droll in the charge of a recent writer that "Polk lost his signal opportunity for asserting the Monroe doctrine in the face of actual British aggression on the Isthmus." Possibly Polk thought he had already stretched the doctrine as far as it would go.

The next opportunity for the application of the Monroe doctrine was the French conquest of Mexico, from 1861 to 1867. Nobody can accuse Secretary Seward of lack of national feeling or diplomatic finesse or quickness in seizing on precedents; and his most recent biographer with justice considers his Mexican policy "his

Seward's Doctrine as to Mexico, 1861–1867.

most perfect achievement in diplomacy." Here was a case of a foreign government deliberately overthrowing a neighboring republic and planting a monarchy upon its ruins; one would expect to find Seward's despatches punctuated with "colonization," "political system," and "interposition." It is a remarkable fact that he nowhere used the words "Monroe doctrine," or referred to precedents. He declared at the beginning that it was the policy of the United States "to leave the destinies of Mexico in the keeping of her own people"; and although he advanced in 1867 to the point of a decided threat of war unless the French withdrew, he based his whole policy upon the general doctrine of the right of American peoples to form their own governments, and upon the hostility to the United States shown by France in attempting to establish a despotic foreign government upon our borders. Seward felt strong enough to form a policy of his own without adopting the orphaned Monroe doctrine.

House against Dominion of Canada, 1867.

Nevertheless, in the public press and in Congress the words had been heard often enough, and a hostility to English possessions began to appear, expressed in the protest of the House of Representatives in 1867 against the formation of a Canadian federation.

Grant against European Colonies, 1870.

President Grant asserted in 1870 that "the time is not so far distant when, in the natural course of events, the Euro-

pean political connection with this continent will cease." The controversy with England came to a head upon the proposed European guarantee of neutrality for the French Panama Canal. Mr. Blaine, in 1881, laid down in a general circular a new doctrine of his own, declaring "that European aggression would partake of the nature of an alliance against the United States." But he too, like Polk and like Seward, thought the paramount interest of the United States a sufficient ground for objection; and he did not shield himself under Monroe's authority. He had, moreover, a broad scheme of establishing a benevolent leadership among the American states with their own consent, a project partially realized in the inter-American conference of 1889.

Blaine on Alliance, 1881.

The farthest extension of policy to which the name "Monroe doctrine" has ever been seriously applied appears in the explosive despatches of Secretary Olney in 1895, and President Cleveland's special message of December 17, 1895, invoking the Monroe doctrine to prevent the occupation of territory disputed between a British colony and a Latin-American state; again, however, this position was expressly based upon "American non-interference in European affairs."[1]

Olney's Doctrine, 1895.

No previous President or Secretary of State

[1] See § 11.

had ever taken the broad and sweeping ground now assumed by Secretary Olney; he declared that "any permanent political union between a European and an American state was unnatural and inexpedient"; that the interests "of Europe are irreconcilably diverse from those of America"; that "to-day the United States is practically sovereign on this continent and its fiat is law upon the subjects to which it confines its interposition"; that it is "master of the situation." These weighty declarations were further asserted to be at once a reassertion of Monroe's doctrine, and a permanent principle of international law for American relations. Whether sound or otherwise, they have so little relation to the doctrine of 1823 that one is tempted to apply to Secretary Olney's argument the Oxford undergraduate's account of a football game: "It would have been just as good a fight without the ball; the ball was only in the way." It is difficult to resist the conviction that Olney's doctrine would have had more force if it had stood boldly on a principle of permanent national interest. Monroe added no strength to his position.

71. Changes in American Conditions, 1823–1900.

Jefferson had a theory that no people has a legal right to incur a national debt to be paid by the next generation; perhaps it might be fair to ask that no generation shall lay down a principle of international policy which later genera-

tions must be compelled to twist to every new exigency. The various glosses on the original message show clearly the difficulty of adjusting the original Monroe doctrine to the conditions of to-day; indeed, the whole face of America has so changed in seventy-seven years that new principles are absolutely necessary. In the first place, since 1823 Spain has been eliminated as a factor in American affairs, by the long-maintained independence of the Spanish-American states, and very recently by the conquest of Cuba and Porto Rico. At the same time, France — in 1823 and again in 1861 a source of real danger — has ceased to be effective in American relations; hence there can never be any shadow of intervention for the sake of restoring Latin dominion. On the other hand, Monroe's hopefulness that the Latin-American powers would show those qualities of steadfastness, order, and peaceful obedience to the law of the majority which characterize real republican government has been unhappily dispelled: there is not a single Latin-American power, except Mexico, which has succeeded in keeping internal peace, or which could defend its own soil against a foreign army. At the same time, the fear that republican government might be extinguished in the United States by what Clay called "the giddiness and intoxication of power" of European monarchy, has forever been dispelled.

Spain.

France.

Latin-America.

British Colonies.

The territorial relations of Great Britain and the United States have also undergone a great change: while the British West Indies have diminished in importance, and the little colonies of Guiana, Honduras, and Belize are still feeble and thinly populated, Canada has stretched across the continent step by step along with the United States, and is now more strongly attached to England by sentiment and commercial ties than at any time for half a century. The spread of the power of the United States from the Atlantic to the Pacific involves the country in new

Pacific Coast.

relations with the Western states of South and Central America, and lends a powerful impetus to the movement for an interoceanic canal, now the great storm centre in American affairs. If there is need for any set doctrine, the Monroe doctrine is too weak for the circumstances of this day, when the United States has become the greatest Caribbean power, the power most concerned in a highway across the narrow lands from ocean to ocean, and the power which has contact with British territory along a land frontier of four thousand miles.

Foreign Settlements.

A glance at a map or the turning of a page of statistics will show that the only foreign nation which has a vital interest or influence within the Americas is Great Britain. There are Germans in Brazil, Italians in the Argentine, French capital on the Isthmus of Panama, Spanish-speak-

ing people in Cuba and Porto Rico; but Germany, Italy, France, and Spain are not factors in American questions, and can never become such. Since the withdrawal of the French from Mexico in 1867, all the extreme forms of the so-called Monroe doctrine are therefore in essence assertions that to the United States belongs a place in American affairs which will not brook any sharing of responsibilities or power with Great Britain.

72. Changes in European Relations.

The changes in American conditions are hardly greater than those in our relations with Europe. When Secretary Olney reiterated that the United States had no share in European complications, he did not expect that four years later the United States would arouse the jealousy of Europe by insisting that Turkey pay a bill for damages at the point of a despatch; or that the United States would lay down a Chinese policy for Europe to follow. In two senses the "political system" which aroused Monroe's suspicions has disappeared — Western Europe is democratic, and a combination of real or unreal sovereigns to prevent the spread of liberal thought has ceased to be possible. In 1823 every country in Europe except Switzerland was monarchic; hence there was an antagonism and a contrast between the American republic and Europe which all the world observed. To-day, however, Switzerland is broadly and genuinely

Political System.

a republic, under a government closely modelled on that of the United States; France is a republic; the Scandinavian countries, Belgium, Holland, Austro-Hungary, Italy, and Germany, are to a large extent democratic; England, under the forms of monarchy, has a government the most closely responsive to public opinion known to mankind. Europe and the European political system are no longer bugbears; and we now study foreign political systems in the expectation of finding something that will be useful to us.

Commercial Relations.

Commercial relations with Europe are also much more intimate and important than they were in 1823; a single ocean steamship in a year will carry a fifteenth as much as the whole foreign commerce of the United States in 1823. Within the borders of the United States live eight million persons born in European countries; a hundred thousand Americans annually visit the Eastern hemisphere. Missionaries and commercial travellers, the two advance agents of civilization, are found in every European country, and American oil, food products, and manufactures spread throughout the world. When the American tariff draws its cabalistic circle of exclusion, the tin-miner of Cornwall, the button-maker of Vienna, the potter of Limoges, and the weaver of Saxony become aware of the weight of our government. Let any one examine the useful government publication known

as *Foreign Relations* during the last twenty years, and one will be amazed at the amount and multifariousness of present American interests in European countries.

Aloofness impossible.

To maintain the aloofness which was the condition of the original Monroe doctrine has become, therefore, simply impossible. When the German agrarians and socialists get into a scrimmage in the Reichstag we are interested, for the question is the exclusion of our food exports; when the British Parliament discusses a bill for creating an Australian federation, we are interested, for it means a tariff in New South Wales; when kind Li Hung Chang exhibits his certificates of good character, while Chinese irregular troops are burning Protestant churches, we are interested, because those churches were built by American contributions. France cannot even hold a world's fair without a reasonable assurance that the Americans will be present with some of the products of the Leadville mines in their pockets.

Governmental Syndicates.

After all, these commercial and personal matters are not the influences which most powerfully and inevitably draw the United States into European relations. The process of aggregation which is so visible in corporations, companies, and trusts is equally visible in the political world. In 1802 there were about one hundred German states; now there are but

twenty-seven, and these are united in one federation. Who does not see that within the last thirty years the number of possible world powers has been steadily drawing down? In all Europe and Asia there are now but four nations which will indubitably be great powers a century hence — Russia, Germany, Great Britain, and China. In the Pacific, Japan is the only permanent world power; in the Western world there is but one great nation, the United States.

These six powers must inevitably control the destinies of mankind; the history of the future is the history of the relations, friendly or otherwise, between them; the diplomacy of the future is the grouping and regrouping of these six units with or against each other. When the ruling powers are so few, how can it be supposed that the United States will be willing to stand aloof from the European controversies which involve the destinies of the world, or that it could stand aloof if it so desired? For good or evil, the United States has taken upon itself a share in the world's affairs and cannot abdicate its responsibilities. There is no such thing for us as quiet home-dwelling under our vine and fig tree; there is for us no Chinese wall against trade or intercourse or political influences.

73. Changes in Eastern Affairs.

What is true of Europe is even more true of the East. The United States has a chain of

possessions from the Pacific coast to the Asiatic through Hawaii, Samoa, Guam, and the Philippines. It thus becomes neighbor to Japan, to China, to French, English, and Dutch Asiatic colonies, to New Zealand, to the flourishing new commonwealth of Australia; and this propinquity involves questions of trade, of outlet for our manufactures, of travel, of sojourn, of colonial administration. All these questions ultimately lead back to Europe, because the Asiatic questions of the future, except for the influence of Japan, must be settled in the council rooms of the Western world; and the future of China, the fate of Persia, the status of the Pacific islands, are questions which are incapable of permanent solution unless the United States is a party to that solution. Indeed, Wu Ting Fang, Chinese minister, has recently quizzically suggested that, "The Monroe doctrine being the fixed policy of your government, the natural logic is that it should be applied to that part of the world where this country has possessions."

Eastern Neighbors.

There are people who suppose that it was possible to avoid all these responsibilities by abstaining from the recent conquests in the West Indies or East Indies; but, without a Spanish War, had there never been a Cuba, were the Hawaiian Islands to have sunk beneath the ocean, the eventual participation of America in the world's affairs was as inevitable as the flow

National Intention.

of lava down the slope of a volcano. There has never been known to man an aggregation of political and social strength comparable with the United States, which did not make itself a factor in the world's history. Our diplomacy has sometimes been crude, uninformed, and disregardful of its own precedents; but it has expressed a national intention to speak in the councils of nations. The assurance of the physical power of the nation, its ability to make itself felt, the clearness to see national interests in an exaggerated form, have not arisen out of the Spanish War; they come from the natural eagerness of an energetic people, which has perhaps too much confidence in its own good judgment, and is quicker to see disorder in other lands than at home; but which feels itself what it really is — a living force in the affairs of mankind.

74. Future Limits of the Monroe Doctrine.

If American diplomats have henceforth to formulate and defend the American policy of their country, they must do so within the conditions which have been described above. In the first place, they cannot fail to recognize, as they have long recognized, the defects in Latin-American government: Cuba was no worse misgoverned by Spain than Venezuela is by its own people. The history of our relations with our neighbor republics is one of constant irritation on one side, and, in general, of great forbear-

Defects in Latin-America.

ance on the other: without power to maintain order or to protect their own citizens, the Latin-American governments have been unable, and sometimes unwilling, to prevent the seizure of the property of foreigners, or to avoid acts of personal violence. The phrase which most frequently occurs in the diplomatic correspondence with America is not "Monroe doctrine," but "unpaid claims."

If we expect to exert influence over these countries, we must also take into account their prejudices and their pride. Peru was very glad to have the United States remonstrate against its implacable Chilean conquerors in 1881; Venezuela joyfully accepted the intervention of the United States in the boundary controversy of 1895: but Peruvians and Venezuelans would probably join in resistance to any attempt on our part to set up or support a government for them, however better than their own. Mexico is the great exception to this principle, because in Mexico American capitalists practically dictate the protection of their own property. But if the United States should stand forth as the protector of individual Latin-American states against each other, or in their frequent and unavoidable quarrels with European powers, it would assume also a responsibility which our American neighbors would infallibly resent whenever exercised against their preferences.

Prejudices in Latin-America.

British Colonies.

In the next place, the existence of small French and Dutch island colonies in the Caribbean, and of larger and more important British islands and continental areas, must be accepted as a fact; and there seems no likelihood of the extinction of the French or English title by any process short of a successful war of conquest.[1]

Interest in Europe and Asia.

A permanent and growing interest in what have hitherto seemed strictly European questions must also be taken into account by our statesmen. It seems probable that a second Cretan insurrection or Armenian massacre or subjugation of Hungary would lead to protests more vigorous than the United States has ever yet uttered on European affairs; and the transatlantic war of tariffs must sometime have an end either by lowering the bars at both ends, or by hostile and irritating retaliatory legislation. In the Pacific and in Eastern Asia the nation appears to have a footing which it is not disposed to give up. Plainly it is idle to base the foreign policy of the United States longer on the principle that we stand entirely separate from the quarrels or the diplomatic arrangements of the Eastern hemisphere.

Doctrine of Two Spheres.

The extension of the term "Monroe doctrine" from the limited form given it by John Quincy Adams to that stated by Secretary Olney has of course a reason: there is an apparent advan-

[1] See § 11.

tage, when the United States takes up a position in American diplomacy, in bringing it within the Monroe doctrine; because it may then be urged that foreign powers which ignore or question our positions have had many decades of notice, and hence are sinning against light. But it is impossible to appeal to a part of the principle and to ignore the rest; and the history of the doctrine shows absolutely that, down to 1895, the United States always asserted a special American influence, on the ground that it left to European powers a similar special interest in Europe. This is simply a doctrine of the permanent subdivision of the earth into two spheres of influence, each of which could get on without the other, and in each of which the interference of the other would be unwarranted. There was really no such separation in 1823, and every year draws the ends of the earth closer together. To claim the Monroe doctrine as still our guiding principle is to suggest to other nations that the United States has no power outside America. The two areas are not separate and never can be separated; the United States is a world power, and cannot claim the special privileges of a diplomatic recluse, and at the same time the mastery of the Western hemisphere.

75. The Doctrine of the Future.

That the interests of European powers in America are in general not equal to those of

the United States is as true as that the United States can and will keep out of most European imbroglios. It was not by accident that Seward in 1867 based his protest against the final conquest of Mexico upon a broad basis of permanent national interest: that has really been the ground for each of the Protean forms of statement which have been discussed above. Adams, Polk, Fish, Blaine, Olney, Hay, all have had in their minds the conception that international relations depend as much upon geography as upon international law, that propinquity creates of necessity questions which cannot be settled off-hand by diplomatic precedents. It is notorious that neighboring countries almost always have permanent grievances against each other: if Italy were across the Channel from England, the two powers would constantly be in hot water; if Brazil were a German colony, there would be friction between the United States and Germany all the time. All that was valuable in Monroe's message was the assertion that the United States had such a commercial and political interest in this hemisphere that it would not permit European powers to alter the American status by force. Had Spain possessed the physical power to conquer the rebellious colonies, the United States would not have felt itself bound by Monroe's disclaimer, and eventually would have compelled

Propinquity of Interest.

Spain to give them up. If the United States had a commerce for which the Suez Canal was indispensable, it would naturally take a great interest in the control of that canal; but we do not need Monroe's permission for the assertion of such an interest.

Most people who talk about the Monroe doctrine mean nothing more than that there should be no change of status in America prejudicial to the United States, though public opinion varies from year to year as to what is prejudicial. In the fifties Buchanan, Mason, and Soulé were sure that emancipation of slaves in Cuba was prejudicial and must be prevented; in 1867 the majority of the Representatives thought the formation of a Canadian confederacy prejudicial. In 1850 the neutrality of the Isthmus canal was thought so important that we went into the Clayton-Bulwer treaty; in 1881 Mr. Blaine ignored the treaty; in 1900 Mr. Hay recognized its validity by negotiating for its abrogation.

Change of Status.

Is it not possible to rise above temporary and fleeting issues to some understanding as to what the "permanent interest" of the United States demands? To formulate a state paper expressing such a principle is the work of a statesman and not of an essayist, but some clear and definite bases may be laid down for any permanent policy in pan-American affairs.

Natural Outlets.

The first is that the territory of the United States is not to be hemmed in and cut off from its natural outlets: the annexation of Louisiana, of the Floridas, of Oregon, and of California, all resulted from this principle; at present it is not necessary to appeal to it, because our territory is everywhere accessible. The one exception is the highway of the Great Lakes, which has no natural route to the sea; but it is easier to make a safe commercial connection through the Mohawk Valley than through the lower St. Lawrence, and we do not need Quebec while we have New York. The only two strategic points which seemed threatening a few years ago have now come into our possession by the control of Cuba and the annexation of Hawaii. We are well protected.

American Commerce.

The next principle is that the commerce of the United States with its American neighbors must not be shackled by any restrictions emanating from Europe. We reserve the right to cut off our own trade, and the failure of several successive series of reciprocity treaties in the last twenty-five years seems to show that Congress does not wish to extend our commerce in America at present; but we do insist that no obstacle shall grow up to prevent at least an equal opportunity in the commerce of the Latin-American states.

In the third place, we must accept the exist-

ence of a large territorial part of the British Empire in America, and so far forth must admit that Great Britain is an American power in the same sense that we are an Asiatic power. The annexation of Canada, which has been predicted by many keen-sighted men for a century and a quarter, now seems more distant than ever, because the Canadians are satisfied, and Great Britain desires that they should be satisfied. Next-door intimacy with Canada has always caused, and probably will continue to cause, friction and some heart-burning; the Oregon question, the San Juan question, the Alaskan boundary question, navigation of the St. Lawrence, the northeastern fisheries, the Maine boundary, transit in bond, rivalries of transcontinental railroads, tariff warfare, — all these disagreeable disputes might have been avoided if Montgomery and Arnold had taken Quebec in 1775; but they might also have been avoided if Burgoyne had taken Albany three years later. In the balance of national forces it came out that both the United States and Great Britain retained great areas of North American territory. To deny the right of Great Britain to hold Canada and Jamaica is to deny the original Monroe doctrine, which distinctly disclaims any hostility to those existing colonies.

British Domains in America.

In the fourth place, we are facing the problem of a canal from ocean to ocean, in which the

Canal.

country most advantaged will be the United States; whatever the likelihood that the transcontinental railroads would still compete against a water transportation through a locked canal, the necessity of piercing the Isthmus is too plain to be disregarded. One cannot quarrel with the people of the United States for the intention of constructing such a canal, although it is a fair question for engineers, statesmen, and financiers whether the cheapest and best method is not the completion of the Panama route. But the canal is not simply a road from the Atlantic coast of the United States to the Pacific; it is an international benefit which the United States has no right to take upon itself, except as the representative of civilized commerce. The oceans are the property of mankind, and if we try to shut up an artificial strait between them, we may some day find the Bosphorus closed to us.

Obligations.

The next principle must be that in American affairs, as in all affairs, the United States shall stand by its obligations. The Clayton-Bulwer treaty was ratified because it was a fair settlement of a very dangerous question; and we do not realize how many critical questions have been kept in abeyance by that treaty. The British government unnecessarily aroused the hostility of America by the insistence on territorial right through control of a puppet king of the Mosquito Indians; but all other interference

in the construction of the canal has been warded off; and now that Great Britain gracefully consents to give up joint guaranty, it leaves a clear field for American ownership.

No more Annexation in America.

The next principle is that, if the United States is to retain its influence, it must refrain from further annexation of Latin-American territory. The first movement toward the annexation of any part of Nicaragua or of Central America will arouse the hostility of all the other American nations, and undo all the work of commercial conciliation. Neither the Monroe doctrine nor any other common-sense doctrine delivers our neighbors over to us for spoliation.

These are general principles upon which the "doctrine of permanent interest" must proceed, because they are right, just, and reasonable principles, but also because they lie in the nature of our international conditions. There is no longer the slightest danger of any European intervention in America; the last suggestion of such a thing was Grant's proposed joint intervention in Cuba in 1875. There is no longer any danger of establishing new European colonies in America; the Venezuelan incident, with all its unreason, revealed clearly to the rest of the world the temper of the United States on that point. There is no longer any danger of the introduction of European monarchies.

No Danger of foreign Annexation in America.

Finally, neither the Monroe doctrine nor any

form of American doctrine means that the United States is to do whatever may seem good to it in America, or that its "permanent interest" involves a right to get away from inconvenient restrictions in the law of nations, as established by the practice of civilized peoples. We have too much at stake to raise unnecessary difficulties at home or abroad; we have to deal with and consider Latin-Americans, British-Americans, and American-Americans; we have to safeguard our interests in Europe, in the Pacific, and in Asia; we have to take account of the influence which this nation seems destined to exert on mankind. If there is to be in the coming century a great battle of Armageddon — once more Europe against the Huns — we can no more help taking our part with the hosts of freedom than we can help educating our children, building our churches, or maintaining the rights of the individual. There is no proper and permanent doctrine of foreign policy which does not recognize the United States as the great leader in all American affairs, and one of the great leaders in the affairs of mankind. There is no safe or permanent doctrine which does not recognize our sisterhood with other nations under international law. The "doctrine of permanent interest," therefore, is a doctrine of peace in America, international fellowship in the Eastern hemishere, and civilization everywhere.

Restrictions of International Law.

VIII

A BRIEF BIBLIOGRAPHY OF AMERICAN DIPLOMACY

76. Principles of the Bibliography.

THE sources for the study of American foreign relations are very abundant, and there are many general treatises on international law; secondary narratives are now coming forward in considerable numbers, and the publication of monographs has begun. As yet, however, no one has attempted a systematic bibliography of the subject; and the investigator is swamped by the very wealth of his materials.

It has therefore seemed worth while to classify, enumerate, and describe the most serviceable books and collections bearing on American diplomacy, though space does not allow any attempt to include the large literature of periodical articles, or to analyze the collections either by countries or chronologically. This bibliography is therefore simply a checklist of the more accessible books, with such brief comment as may show their value and their bearing. In most cases, works which are out of print or otherwise unavailable, however valuable, are not included. For the investigator a path may be

found deeper into the literature and to special topics, through the bibliographical aids mentioned below, and through the footnotes to treatises on international law and to narratives, histories, and monographs.

Works of especial significance and usefulness are noted by an asterisk (*).

The list is not confined to the diplomacy of the United States since 1775. In the sense of the bibliography, American diplomacy begins with the relations of the colonizing European countries with each other at the time of the discovery; follows out the rival claims to territory in the New World, and the treaties of delimitation; deals with the external regulation of colonial commerce, especially commerce with other American settlements; discusses intercolonial correspondence and plans of union; describes the wars by land and sea in America during the eighteenth century, ending with the exclusion of France in 1763; and then proceeds to the foundation of a foreign office, a foreign system, and a foreign policy by the Continental Congress, and thus to the diplomacy of the Federal Republic in all its ramifications.

77. Bibliographical Aids. The general bibliographies of American history include most of the special books on diplomacy down to about 1895, although none of them except Winsor have distinct sections on the subject. See also below (§ 78 C) on Treatises

on International Law. The principal general bibliographies are as follows:

CHANNING AND HART, *Guide to the Study of American History* (Boston, 1897), includes lists of indexes to public documents (§ 16 e); general comprehensive works (§ 20); sources of historical geography (§ 21 d); biographies (§ 25); colonial records (§ 29); works of statesmen (§ 32); autobiographies (§ 33); collections of documents (§ 34); and topical references from 1492 down to 1865 (§§ 144–214).

W. E. FOSTER, *References to the History of Presidential Administrations, 1789–1885* (New York, 1885). — Includes diplomatic materials.

BOWKER AND ILES, *The Reader's Guide in Economic, Social, and Political Science* (New York, 1891). Collects some titles on pages 119–123.

*JOSEPHUS NELSON LARNED, editor, *The Literature of American History: a Bibliographical Guide* (to appear in 1902). — A classified bibliography of American history in general; about three thousand titles, each annotated by an expert. Part I is a very thorough and convenient account of archives (American and foreign), collections, and special bibliographies. There is no separate section on diplomatic history. Books on that subject appear under the chronological and topical divisions.

The following volumes have lists of books,

more or less systematic, either on diplomacy in general (with such classification as makes it easy to select material on America), or on American foreign affairs only:

*CHARLES CALVO, *Le Droit International Théorique et Pratique* (6 vols., Paris, 1887–1896). — Includes an elaborate study of the literature of international law, with sources. See especially Vol. I, 101–138; Vol. VI ("Supplément Général"), xxix–lxi.

WILLIAM ISAAC FLETCHER, editor, *The "A. L. A." Index; an Index to General Literature* (Boston, 1893). — An attempt to index volumes of collected essays and like materials containing specific chapters on special questions.

WILLIAM ISAAC FLETCHER AND RICHARD ROGERS BOWKER, *The Annual Literary Index* (New York, 1893–). — This is a supplement to both Poole and *The "A. L. A." Index*, in annual volumes (beginning with the year 1892), indexing periodicals, essays, book chapters, etc., in classified entries.

*A. P. C. GRIFFIN, *List of Books (with references to Periodicals) relating to the Theory of Colonization, Government of Dependencies, Protectorates, and Related Topics* (2d ed., Washington, 1900). — Especially serviceable on the latest diplomatic questions.

A. P. C. GRIFFIN AND P. LEE PHILLIPS, *List of Books relating to Cuba (including References*

to Collected Works and Periodicals), *with Bibliography of Maps* (Washington, 1898). Also printed as Senate Executive Documents, 55 Cong., 2 Sess., No. 161.

A. P. C. GRIFFIN, *List of Books relating to Hawaii* (*including References to Collected Works and Periodicals*) (Washington, 1898).

A. P. C. GRIFFIN, *A List of Books* (*with References to Periodicals*) *on Porto Rico* (Washington, 1901).

ALBERT BUSHNELL HART, *Handbook of the History, Diplomacy, and Government of the United States* (Cambridge, 1901). — Special collection (§ 12); list of lectures with specific references (§ 20); special topics with references (§§ 62–93).

FRANZ DE HOLTZENDORFF ET ALPHONSE RIVIER, *Introduction au Droit des Gens* (Paris, 1889). — Part IV of this work (pp. 351–494) is a discussion of the literature of international law, in groups; especially English authors (§ 116), American authors (§ 117), Spanish-American and Brazilian authors (§ 119).

*LEONARD AUGUSTUS JONES, *An Index to Legal Periodical Literature* (2 vols., Boston, 1888, 1899). — Vol. I indexes a hundred and fifty-eight sets of periodicals down to 1886; Vol. II indexes a few sets before 1887 which were omitted in Vol. I, and then brings down the work to cover 1887–1898, including many

articles from general periodicals. The work is indispensable to the searcher for discussions on special topics.

JOHN BASSETT MOORE, *American Foreign Policy* (in preparation, 1902). — Will contain a select general bibliography, and topical bibliographies.

*JOHN BASSETT MOORE, *History and Digest of the International Arbitrations to which the United States has been a Party* (6 vols., Washington, 1898). — List of cases, I, lxiii–lxxxii; list of authorities, I, lxxxiii–xcviii. The footnotes throughout are a most valuable guide to materials, and especially to official correspondence.

*WILLIAM FREDERICK POOLE, WILLIAM ISAAC FLETCHER, AND OTHERS, editors, *Poole's Index to Periodical Literature, 1802–1881* (rev. ed., 2 vols., Boston, 1893). *First Supplement, 1882–1886* (Boston, 1888). *Second Supplement, 1887–1891* (Boston, 1893). *Third Supplement, 1892–1896* (Boston, 1897). — A well-known and invaluable series of guides to the numerous valuable articles, often by experts, in periodicals. The *Abridged Edition, 1815–1899* (Boston, 1901), refers only to a short list of periodicals.

*UNITED STATES, *Treaties and Conventions concluded between the United States of America and other Powers since July 4, 1776* (Washington, 1889). —To this volume Mr. J. C. Bancroft Davis has appended (pp. 1217–1406) very valu-

able historical notes, with detailed references to government publications and some other sources.

*Francis Wharton, *Digest of the International Law of the United States* (3 vols., Washington, 1886). — The references in this work are practically a classified bibliography of official source-material. See especially Vol. I, iii–ix, "Preliminary remarks."

*Justin Winsor, *Narrative and Critical History of America* (8 vols., Boston, 1886–1889). — Includes a critical discussion of authorities down to about 1850 (VII, 461–562); an account of the manuscript sources of American history, including archives (VIII, 413–468); and an appendix on comprehensive printed authorities (VIII, 469–507).

78. Secondary Works.

In every field of diplomacy, the ground has been to some degree gone over by text-writers on international law and by general historians; of late years a literature of special treatises and monographs has sprung up. Out of all these discussions a choice has been made in the list below of those which have most reference to American conditions and experience, which have the most useful footnotes and bibliographies, and which, from the character of their authors or from their freshness and originality, seem likely to be most to the point. Many of the secondary books also contain source-materials, in appendices or in extracts.

A. General Works on American Diplomacy.

There is no one work covering the whole field of American diplomacy, both the colonial and the federal period. The following books include parts of the subject, and are useful for a general survey; none of them are provided with elaborate footnotes:

WILLIAM ELEROY CURTIS, *The United States and Foreign Powers* (New York, 1899). — This is a little book which includes a sketch of the diplomatic service; chapters on Latin-American relations, the Monroe doctrine, and the inter-oceanic canal; and then a study of the relations of the United States with the various foreign powers in succession. It is not a consecutive work, nor is it marked by deep knowledge of international law.

JOHN WATSON FOSTER, *A Century of American Diplomacy, 1776–1876* (Boston, 1900). — This is a general study of American diplomacy by a distinguished diplomat, with a special chapter on the Monroe doctrine from the conventional point of view. The book is strongest on the diplomacy since the Civil War.

JOHN B. HENDERSON, JR., *American Diplomatic Questions* (New York, 1901). — Confined to five recent questions — Northwest and Northeast Fisheries, Samoa, Canal, and Monroe Doctrine.

*JOHN HOLLADAY LATANÉ, *The Diplomatic Relations of the United States and Spanish*

America (Baltimore, 1900). — Though covering only one field of American foreign affairs, this is one of the handiest and best books on inter-American relations. Well printed, with footnotes.

*THEODORE LYMAN, *The Diplomacy of the United States, being an Account of the Foreign Relations of the Country, from the first Treaty with France in 1778* (2d ed., 2 vols., Boston, 1828). — This is a more elaborate attempt to treat American diplomacy as a separate subject, but it was written before the publication of some important materials. It comes down to 1828, including relations with Barbary powers and Latin-American states.

ALFRED THAYER MAHAN, *The Interest of America in Sea Power, Present and Future* (Boston, 1897). — A discussion by an expert on our foreign commercial and diplomatic policy.

*JOHN BASSETT MOORE, *American Foreign Policy.* (In preparation, 1902.) — This work, by an experienced diplomat, will cover briefly the whole field of American diplomacy.

*EUGENE SCHUYLER, *American Diplomacy and the Furtherance of Commerce* (New York, 1886). — This is a suggestive book devoted chiefly to commercial relations, written by a man who had had much experience in the consular service.

FREEMAN SNOW, *Treaties and Topics in*

American Diplomacy (Boston, 1894). — Half of this book is an abstract of treaties; the other half is made up of essays on the Monroe doctrine, the fisheries, and the Bering Sea question.

WILLIAM HENRY TRESCOT, *The Diplomacy of the Revolution: an Historical Study* (New York, 1852).

WILLIAM HENRY TRESCOT, *The Diplomatic History of the Administrations of Washington and Adams, 1789–1801* (Boston, 1857). — These two books taken together are a serviceable account of the quarter-century from the beginning of the Revolution to the administration of Jefferson. Almost no footnotes.

B. General Histories containing Discussions of Diplomatic Topics.

From the numerous histories concerning considerable areas of American history, the following have been selected as furnishing the largest and most pertinent discussions of foreign relations:

*HENRY ADAMS, *History of the United States during the Administrations of Jefferson and Madison* (9 vols., New York, 1889–1891). — A most searching account of the diplomacy of neutral trade and the War of 1812.

GEORGE BANCROFT, *A History of the United States* (1st ed., 10 vols., Boston, 1834–1874). — From the discovery to 1782; some of the volumes of this edition have footnotes which are omitted in later editions.

GEORGE BANCROFT, *A History of the Forma-*

tion of the Constitution of the United States (2 vols., New York, 1885). — A continuation of his history down to the organization of the federal government. Contains elaborate footnotes and appendices of documents.

*HUBERT HOWE BANCROFT, *History of the Pacific States of North America* (34 vols., San Francisco, 1882–1890). — Great detail on the Spanish settlements and colonial controversies with the French and English; also on the annexation of Texas, California, Oregon, and Alaska.

MONTAGU BURROWS, *The History of the Foreign Policy of Great Britain* (New York, 1895).

JOHN ANDREW DOYLE, *The English in America; Virginia, Maryland, and the Carolinas* (London, 1882). *The English in America; the Puritan Colonies* (2 vols., London, 1887). — These three volumes are parts of a work still in progress, which will be a standard history of American colonization, including diplomatic relations. Good footnotes.

*RICHARD HILDRETH, *The History of the United States of America* (rev. ed., 6 vols., New York, 1854–1855). — Some narrative and diplomatic discussions of the colonial epoch, and of the main issues under the federal government down to 1820.

WILLIAM KINGSFORD, *The History of Canada, 1608–1841* (10 vols., London, etc., 1888–1898).

*WILLIAM EDWARD HARTPOLE LECKY, *A History of England in the Eighteenth Century* (8 vols., London, 1878–1890; also an American reprint). — Some account of the eighteenth-century diplomacy relative to America.

*ALFRED THAYER MAHAN, *The Influence of Sea Power upon History, 1660–1783* (Boston, 1890). — An epoch-making book, indispensable for an understanding of the wars and diplomacy of the eighteenth century as they affected America.

ALFRED THAYER MAHAN, *The Influence of Sea Power upon the French Revolution and Empire, 1793–1812* (2 vols., Boston, 1892). — A supplement to the above volume; includes a discussion of neutral trade.

*JAMES FORD RHODES, *History of the United States from the Compromise of 1850* (4 vols. published, New York, 1893–1899). — Includes a most excellent discussion of the diplomacy of the United States just before and during the Civil War. Still in progress.

THEODORE ROOSEVELT, *The Winning of the West, 1769–1807* (4 vols., New York, 1889–1896).

JAMES SCHOULER, *History of the United States of America under the Constitution* (rev. ed., 6 vols., New York, 1895–1899). — Brief account of diplomatic relations as a part of the general history of the United States from 1783 to 1865.

SIR JOHN ROBERT SEELEY, *The Expansion of England: Two Courses of Lectures* (Boston, 1883). — An account of the colonization policy of Great Britain and its effect on England.

*SIR JOHN ROBERT SEELEY, *The Growth of British Policy: an Historical Essay* (2 vols., Cambridge, Eng., 1895). — Covers the field from 1588 to 1714; brings out the foreign relations of England on the colonial side.

EDWARD SMITH, *England and America after Independence: a Short Examination of their International Intercourse, 1783–1872* (Westminster, 1900).

*JUSTIN WINSOR, *Narrative and Critical History of America* (8 vols., Boston, 1886–1889). — The work abounds throughout in footnotes and critical discussions of authorities. See especially Vol. III, chs. i–iv, on the first English claims and settlements; Vol. IV, on the French, Dutch, and Swedes in America; Vol. V, ch. i, on Canada and Louisiana; chs. vii–viii, on French and Indian Wars down to 1763; Vol. VII, chs. i–ii, on the diplomacy of the Revolution; ch. vii, on diplomacy from 1789 to 1850.

JUSTIN WINSOR, *Christopher Columbus, and how he Received and Imparted the Spirit of Discovery* (Boston, 1891).

JUSTIN WINSOR, *Cartier to Frontenac: Geographical Discovery in the Interior of North America in its Historical Relations, 1534–1700* (Boston, 1894).

JUSTIN WINSOR, ***The Mississippi Basin: the Struggle in America between England and France, 1697–1763*** (Boston, 1895).

JUSTIN WINSOR, ***The Westward Movement: the Colonies and the Republic West of the Alleghanies, 1763–1798*** (Boston, 1897). — These four volumes are the best systematic account of the rivalries for the possession of America, including some diplomatic questions.

C. Treatises on International Law.

Many of the most valuable works on international relations are treatises on international law, especially those written by Americans or with special reference to America. Lists of such treatises may be found in T. A. WALKER, *Science of International Law*, pp. vii–xvi; THEODORE D. WOOLSEY, *International Law* (6th ed.), 405 *et seq.*; and especially in CHARLES CALVO, *Droit International*, I, 101–138, VI, xxix–lxi. HOLTZENDORFF, CALVO, PHILLIMORE, and PRADIER-FODÉRÉ are the fullest authorities, and; in the last editions, are among the most recent. They all freely use American precedents. The best treatises as aids to a study of American diplomacy are the following:

*CHARLES CALVO, *Le Droit International Théorique et Pratique* (6 vols., Paris, 1887–1896). — An exhaustive treatise written by an Argentine diplomat. Vol. I, 1–101, contains a brief sketch of general diplomatic history down to 1887.

GEORGE B. DAVIS, *Outlines of International Law* (New York, 1887).

GUILLAUME DE GARDEN, *Histoire Générale des Traités de Paix* (15 vols., Paris, 1848–1887). — Covers the period 1536 to 1815; it is a history of the events leading up to each treaty, but does not contain the texts.

HENRY GLASS, *Marine International Law* (Annapolis, 1885).

*WILLIAM EDWARD HALL, *International Law* (Oxford, 1880; 4th ed., 1895). — Perhaps the best one-volume treatise; many references to American precedents.

HENRY WAGER HALLECK, *International Law; or, Rules regulating the Intercourse of States in Peace and War* (New York, 1861; Sir Sherston Baker's 3d ed., 2 vols., London, 1893). — Written by the former general-in-chief of the United States army. Dry, but thoughtful and well analyzed; frequent references to American precedents.

L. B. HAUTEFEUILLE, *Questions de Droit Maritime International* (Paris, 1868).

*FRANZ VON HOLTZENDORFF, *Handbuch des Völkerrechts auf Grundlage Europäischer Staatspraxis* (4 vols., Berlin, 1885–1889). — A coöperative work by eminent publicists. Abundant references to other treatises, and very numerous precedents, with reference to sources.

JAMES KENT, *Commentaries on American*

Law (4 vols., New York, 1826–1830; 12th ed., by O. W. Holmes, Boston, 1873; *J. T. Abdy's 2d ed. of *Commentary on International Law*, Cambridge, Eng., 1878). — The treatise on international law is in Vol. I.

THOMAS JOSEPH LAWRENCE, *The Principles of International Law* (3d Boston, 1900). — One of the most recent text-books; some serious slips.

SIR ROBERT PHILLIMORE, *Commentaries upon International Law* (4 vols., London, 1854–1861; 3d ed., 1879–1889). — The most detailed and exhaustive work in English, with elaborate references.

JOHN NORTON POMEROY, *Lectures on International Law in Time of Peace* (Theodore S. Woolsey's ed., Boston, 1886). — Reprint of lectures delivered in 1866–1867; few references to sources.

PAUL LOUIS ERNEST PRADIER-FODÉRÉ, *Traité de Droit International Public Européen & Américain, suivant les Progrès de la Science et de la Pratique Contemporaine* (7 vols. published, Paris, 1885–1897). — Still incomplete. Refers to late incidents and precedents; many allusions to Latin-American affairs; clumsy arrangement and references; not very serviceable.

RAFAEL FERNANDO SEIJAS, *El Derecho Internacional Hispano-Americano Publico y Privado* (6 vols., Caracas, 1884–1885).

FREEMAN SNOW, *International Law* (Washington, 1898).

CHARLES H. STOCKTON, *The Laws and Usages of War at Sea — A Naval War Code* (Washington, 1900).

JOSÉ MARIA TORRES-CAICEDO, *Union Latino-Americano; pensamiento de Bolivar para formar una Liga Americana; su Origen y sus Desarroelos y Estudio sobre la Cuestion; ó un Gobierno legitimo es responsable par los Claños y Perguicios occasionados a los Extrangeros par las Facciones* (Paris, 1865).

THOMAS ALFRED WALKER, *The Science of International Law* (London, 1893). — Brief, clear, and abounds in illustrations from recent historical events.

*FRANCIS WHARTON, *Commentaries on Law, embracing Chapters on the Nature, the Source, and the History of Law, on International Law, Public and Private, and on Constitutional and Statutory Law* (Philadelphia, 1884). — By the editor of the *Digest.* Includes a treatise on public international law (§§ 115–251); very good on American relations.

*HENRY WHEATON, *Elements of International Law* (Philadelphia and London, 1836; Lawrence's 2d ed., Boston, 1863; Dana's 8th ed., Boston, 1866, the best but unfortunately out of print; Boyd's 2d ed., London, 1880). — By an eminent diplomat and publicist. A standard

work, enriched with valuable notes by the American and English editors.

HENRY WHEATON, *History of the Law of Nations in Europe and America from the Earliest Times to 1842* (New York, 1845). — On the progress of international law from 1648 to 1843; a study of principles rather than events.

*THEODORE DWIGHT WOOLSEY, *Introduction to the Study of International Law, designed as an aid in Teaching and in Historical Studies* (Boston, 1860; 6th ed., by T. S. Woolsey, New York, 1891). — A brief and very serviceable text-book, with abundant references to American practice and elaborate bibliographical material.

D. Works on Special Topics.

Under this caption have been gathered the best monographs and special discussions on diplomatic topics. Many titles have been omitted because proceeding from writers without a large reputation, or because covering rather minute fields, or because superseded.

JOHN QUINCY ADAMS, *The Duplicate Letters, the Fisheries, and the Mississippi. Documents relating to Transactions at the Negotiation of Ghent* (Washington, 1822).

AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, *The Foreign Policy of the United States, Political and Commercial* (Philadelphia, 1899). — Addresses and discussion at the annual meeting, April 7–8, 1899.

The American Remembrancer; or, An Impartial Collection of Essays, Resolves, Speeches, etc., Relative, or having Affinity to the Treaty with Great Britain (3 vols., Philadelphia, 1795).

The American Conference on International Arbitration, held in Washington, D. C., 1896 (New York, n.d.).

FRANÇOIS, MARQUIS DE BARBÉ MARBOIS, *The History of Louisiana, particularly of the Cession of that Colony to the United States of America; with an Introductory Essay on the Constitution and Government of the United States* (Lawrence's translation, Philadelphia, 1830).

CHARLES COTESWORTH BEAMAN, JR., *The National and Private "Alabama Claims" and their "Final and Amicable Settlement"* (Washington, 1871).

MAURICE D. DE BEAUMARCHAIS, *La Doctrine de Monroe* (Paris, 1898).

GEORGE BEMIS, *American Neutrality; its Honorable Past, its Expedient Future* (Boston, 1866).

*MOUNTAGUE BERNARD, *A Historical Account of the Neutrality of Great Britain during the American Civil War* (London, 1870).

EDWARD BICKNELL, *The Territorial Acquisitions of the United States: an Historical Review* (Boston, 1899).

*JOHN BIGELOW, *France and the Confederate Navy, 1862–1868: an International Episode*

(London, 1888). — By a former minister to France.

CHARLES BRANDON BOYNTON, *English and French Neutrality and the Anglo-French Alliance, in their Relations to the United States and Russia* (Cincinnati, 1864).

*JAMES D. BULLOCH, *The Secret Service of the Confederate States in Europe* (2 vols., New York, 1884).

JAMES MORTON CALLAHAN, *The Neutrality of the American Lakes and Anglo-American Relations* (Baltimore, 1898).

JAMES MORTON CALLAHAN, *Cuba and International Relations: a Historical Study in American Diplomacy* (Baltimore, 1899).

JAMES MORTON CALLAHAN, *American Relations in the Pacific and the Far East, 1784–1900* (Baltimore, 1901).

JAMES MORTON CALLAHAN, *The Diplomatic History of the Southern Confederacy* (Baltimore, 1901). — These are four ambitious volumes, appearing in too rapid succession.

GEORGE COGGESHALL, *History of the American Privateers* (New York, 1856).

CHARLES ARTHUR CONANT, *The United States in the Orient: the Nature of the Economic Problem* (Boston, 1900).

CALEB CUSHING, *The Treaty of Washington; its Negotiation, Execution, and the Discussions relating thereto* (New York, 1873).

W. EVANS DARBY, *International Tribunals: a Collection of the Various Schemes which have been propounded and of Instances since 1815* (London, 1900).

HENRI DONIOL, *Histoire de la Participation de la France à l'établissement des États-Unis d'Amérique. Correspondance diplomatique et documents* (5 vols., Paris, 1886–1892).

JOSEPH I. DORAN, *Our Fishery Rights in the North Atlantic* (Philadelphia, 1888).

*WILLIAM EDWARD BURGHARDT DUBOIS, *The Suppression of the African Slave-Trade to the United States of America, 1638–1870* (New York, 1896).

JOHN DURAND, *New Materials for the History of the American Revolution. Translated from Documents in the French Archives* (New York, 1889).

ANDREW ELLICOTT, *Journal of A. Ellicott, Late Commissioner on Behalf of the United States, in 1796–1800, for determining the Boundary between the United States and the Possessions of his Catholic Majesty in America* (Philadelphia, 1803).

CHARLES B. ELLIOT, *The United States and the Northeastern Fisheries. A History of the Fishery Question* (Minneapolis, 1887).

G. W. FEATHERSTONHAUGH, *Observations upon the Treaty of Washington, signed August 9, 1842, together with a Map to illustrate the Boundary Line* (London, 1843).

JAMES CHAMPLIN FERNALD, *The Imperial Republic* (New York, 1898). — With five Maps.

ALBERT GALLATIN, *A Memoir on the North-eastern Boundary, in Connexion with Mr. Jay's Map; with a speech on the same Subject by Daniel Webster, delivered April 15, 1843* (New York, 1843).

A. G. GEBHARDT, *State Papers relating to the Diplomatick Transactions between the American and French Governments, 1793–1800* (3 vols., London, 1816).

JAMES WATSON GERARD, *The Peace of Utrecht; a Historical Review of the Great Treaty of 1713–1714* (New York, 1885).

FRANKLIN H. GIDDINGS, *Democracy and Empire, with Studies of their Psychological, Economic, and Moral Foundation* (New York, 1900).

WILLIAM ELLIOT GRIFFIS, *America in the East: a Glance at our History, Prospects, Problems, and Duties in the Pacific Ocean* (New York, 1899).

ROBERT G. HARPER, *Observations on the Dispute between the United States and France* (London, 1898).

THOMAS LE GRAND HARRIS, *The Trent Affair* (Indianapolis, etc., 1896).

HENRY HARRISSE, *The Diplomatic History of America* (London, 1897). On the demarcation between Spain and Portugal in 1513.

L. B. HAUTEFEUILLE, *Quelques questiones de*

Droit International Maritime à propos de la guerre d'Amérique (Leipzig and Paris, 1861).

F. E. HAYNES, *The Reciprocity Treaty with Canada of 1854* (Baltimore, 1892).

BINGER HERMANN, *The Louisiana Purchase, and our Title West of the Rocky Mountains, with a Review of Annexation by the United States* (Washington, 1898).

FREDERICK WILLIAM HOLLS, *The Peace Conference at the Hague and its Bearings on International Law and Policy* (New York, 1900). — A rather optimistic account of the Conference and its work.

CHARLES ISHAM, *The Fishery Question, its Origin, History, and Present Situation, with a Map of the Anglo-American Fishing Grounds and a Short Bibliography* (New York, 1887).

DAVID STARR JORDAN, *Imperial Democracy: a Study of the Relation of Government by the People, Equality before the Law, and other Tenets of Democracy, to the Demands of a Vigorous Foreign Policy and other Demands of Imperial Dominion* (New York, 1899).

LINDLEY MILLER KEASBEY, *The Nicaragua Canal and the Monroe Doctrine: a Political History of Isthmus Transit* (New York, 1896). — A labored book of which the central thought is, that every American statesman who did not insist on the exclusive rights of the United States in the Isthmus was false to his trust.

*THOMAS JOSEPH LAWRENCE, *Essays on some Disputed Questions in Modern International Law* (2d ed., Cambridge, Eng., 1885). — Includes several essays on the Monroe doctrine and Canal diplomacy.

*ALFRED THAYER MAHAN, *Lessons of the War with Spain, and other Articles* (Boston, 1899).

ALFRED THAYER MAHAN, *The Problem of Asia and its Effect on International Policies* (Boston, 1900). — By one of the greatest authorities on foreign relations.

HEINRICH MARQUARDSEN, *Der Trent-fall* (Erlangen, 1862).

VISCOUNT W. FITZWILLIAM MILTON, *A History of the San Juan Water-boundary Question, as affecting the Division of Territory between Great Britain and the United States* (London, 1869).

JOHN BASSETT MOORE, *A Treatise on Extradition and Interstate Rendition* (2 vols., Boston, 1861). — Includes details of many incidents of diplomatic discussion.

BERNARD MOSES, *The Establishment of Spanish Rule in America, an Introduction to the History and Politics of Spanish America* (New York, 1898).

LOUIS DE ONIS, *Memoir upon the Negotiations between Spain and the United States of America which led to the Treaty of 1819.* (Madrid, 1820. Watkins's translation, Washington, 1821.)

HECTOR PÉTIN, *Les États-Unis et la Doctrine de Monroe* (Paris, 1901).

*WILLIAM FIDDIAN REDDAWAY, *The Monroe Doctrine* (Cambridge, Eng., 1898). — Perhaps the best discussion of the contemporary conditions of the doctrine.

*PAUL SAMUEL REINSCH, *Colonial Government* (New York, 1901). — Includes a special study of American colonization.

*PAUL SAMUEL REINSCH, *World Politics at the End of the Nineteenth Century as Influenced by the Oriental Situation* (New York, 1900).

J. C. RODRIGUES, *The Panama Canal: its History, its Political Aspects, and Financial Difficulties* (New York, 1885).

*MATTIAS ROMERO, *Mexico and the United States: a Study of Subjects affecting their Political, Commercial, and Social Relations* (New York, 1898).

JOHN THOMAS SCHARF, *History of the Confederate States Navy* (New York, 1887).

RAPHAEL SEMMES, *Service Afloat; or The Remarkable Career of the Confederate Cruisers Sumter and Alabama during the War between the States* (Baltimore, 1887). — Gossipy, but frank and enlightening.

*JOHN, LORD SHEFFIELD, *Observations on the Commerce of the American States* (London, 1784).

STEPHEN BERRIEN STANTON, *The Behring Sea Controversy* (New York, 1892).

*IRA DUDLEY TRAVIS, *The History of the Clayton-Bulwer Treaty* (Ann Arbor, 1900). — A sound discussion.

W. H. TRESCOT, *A Few Thoughts on the Foreign Policy of the United States* (Charleston, 1849).

GEORGE FOX TUCKER, *The Monroe Doctrine: a Concise History of its Origin and Growth* (Boston, 1885).

TRAVERS TWISS, *Oregon Question examined in Respect to Facts and the Law of Nations* (London, 1846).

F. H. UPTON, *The Law of Nations Affecting Commerce during War; with a Review of the Jurisdiction, Practice, and Proceedings of Prize Courts* (New York, 1861).

HENRY WHEATON, *Enquiry into the Validity of the British Claim to a Right of Visitation and Search of American Vessels*, etc. (London, 1858).

*THEODORE SALISBURY WOOLSEY, *America's Foreign Policy: Essays and Addresses* (New York, 1898).

E. Periodicals containing Articles on American Diplomacy.

There is no American periodical devoted especially to international law, though there are several in which articles on international relations appear. For lists of publications and for classified references, see *Poole's Index* and JONES' *Index to Legal Periodical Literature.* The regular law periodicals often have very valuable

articles on international law. — A few titles only are here given, chiefly in English:

AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, *Annals* (Philadelphia, 1890–). — Some few studies on foreign relations.

**American Annual Cyclopædia* (40 vols. to 1900, New York, 1861–). — A valuable series, with many documents.

**American Historical Review* (New York, 1895–). — Many studies in diplomatic history.

The American Law Review (Boston, 1866–).

The Annual Register (143 vols. to 1900, London, 1759–). — A collection of materials and compilations annually published for nearly a century and a half; often very serviceable.

Army and Navy Journal (New York, 1863–).

ASSOCIATION FOR THE REFORM AND CODIFICATION OF THE LAW OF NATIONS, *Reports* of Annual Conferences (London, 1873–).

Forum (New York, 1886–). — Many discussions by public men.

Harper's Magazine (New York, 1850–).

**The Nation* (70 vols. to 1900, New York, 1865–). — Editorial correspondence and reviews on many diplomatic questions.

National Geographic Magazine (Washington, 1888–). — Excellent accounts of boundary controversies.

**Niles's Weekly Register* (73 vols., Baltimore,

1811–1848). — An invaluable repository of current documents and discussions.

North-American Review (170 vols. to 1900, Boston and New York, 1815–). — For the first sixty years abounding in the ablest discussions of public affairs.

Political Science Quarterly (New York, 1886–). — Many articles on foreign relations and valuable chronological summaries of current events.

**Statesman's Year-Book* (London, 1864–). — An annual survey of the political and the statistical situation of the world.

**The Times* (London, 1884–). — The great English daily; has pages devoted to foreign news from all over the world; can be exploited by means of a special annual summary, and also by a quarterly and recently a monthly index.

The Yale Review (New York, etc., 1893–). — Discussions of colonization, and occasionally of diplomatic questions.

The following foreign international law periodicals from time to time print discussions on American international questions:

Bulletin de la Société de la Législation Comparée (Paris, 1872–).

Revue de Droit International et de Législation Comparée (32 vols. to 1900, Paris, 1869–).

Revue d'Histoire Diplomatique (Paris, 1887–).

**Revue Générale de Droit International Public* (Paris, 1894–).

79. Source.

The abundant sources of American diplomatic history have as yet been too little explored. For convenience they may be classified into collections of treaties and documents; official correspondence; and private biography, memoirs, and correspondence.

A. Treaties.

On the pre-constitutional treaties affecting American affairs, see a synoptical list in WOOLSEY's *International Law* (6th ed., pp. 406–408), with a list of the collections of treaties. The following titles are especially serviceable for the diplomacy of the colonial period:

GEORGE CHALMERS, *A Collection of Treaties between Great Britain and other Powers* (2 vols., London, 1790). — Period 1259–1788.

JEAN DUMONT, *Corps Universel Diplomatique du Droit des Gens, contenant un Recueil des Traitez . . . Capitulations Impériales et Royales*, etc. (8 vols., Amsterdam, etc., 1726–1731); *Supplement* (5 vols., Amsterdam, 1739). — Contains documents from 800 A.D. to 1730; many pieces beside treaties are included; all the texts except the Latin are translated into French. There is an alphabetical index to the whole at the end of *Supplement*, Vol. III.

**A General Collection of Treatys, Declarations of War, Manifestos, and other Publick Papers, relating to Peace and War* (2d ed., 4 vols., London, 1732). — This valuable collection includes materials from 1495 to 1731.

THOMAS RYMER, *Foedera, Conventiones, Literae, et cujuscunque generis Acta Publica* (2d ed., 20 vols., London, 1727–1735). — Comes down from 1101 to 1654; many titles in English. A *Syllabus* in English by T. D. HARDY has been published (3 vols., London, 1869–1885).

The treaties of the federal period (1778–1901) are regularly printed with the annual statutes of the United States, and also in two official collections:

UNITED STATES, *Revised Statutes of the United States, relating to the District of Columbia, Post Office, Public Treaties* (Washington, 1875).

UNITED STATES, *Treaties and Conventions concluded between the United States of America and other Powers since July 4, 1776* (Washington, 1889); also printed as *Senate Executive Document, 48 Cong., 2 sess., No. 47.*

Treaties between other American powers, or between American powers and European powers, or between European powers on American subjects, since the American Revolution, will be found in the standard collections of state papers, such as *British and Foreign State Papers, Archives Diplomatiques, Staatsarchiv;* and also in the following collections (see TÉTOT, *Répertoire des Traités*):

*CARLOS CALVO, *Coleccion Completa de los Tratados, Convenciones, Capitulaciones, Armisticios y otros Actos diplomáticos de todos los Es-*

tados de la América Latina . . . desde 1493 (11 vols., Paris, 1862–1869). — Comes down to 1823; includes also Spanish and Portuguese treaties in the colonial period.

CHARLES DE MARTENS ET FERDINAND DE CUSSY, *Recueil Manuel Pratique de Traités, Conventions, et autres Actes Diplomatiques* (7 vols., Leipzig, 1846–1857). — Covers the period 1760–1856; gives significant parts of treaties, or refers to their sources. This is an abridgment of the great MARTENS, *Recueil*, etc.; the latter continues DUMONT and WENCK, and is continued by the following work: —

CHARLES SAMWER ET JULES HOPF, *Nouveau Recueil Général de Traités et autres Actes Relatifs aux Rapports de Droit International* (25 vols. and index, to 1900, Göttingen, 1876–). — Treaties and other documents in original language or in French. Period 1839 to present day.

*TÉTOT, *Répertoire des Traités de Paix, d'alliance conventions et autres actes conclus entre toutes les puissances du globe principalment depuis la paix de Westphalie jusqu'a nos jours* (2 pts., Paris, 1866). — Practically an index to Dumont and the other great collections, covering the period from 1493 to 1866.

FREDERICH AUGUST WILHELM WENCK, *Codex Juris Gentium Recentissimi e Tabulariorum Exemplarumque Fide Dignarum Monumentis Compositos* (3 vols., Leipzig, 1781–1795).

B. Official Collections of Documents.

Indexes and finding-lists of public documents are enumerated in CHANNING AND HART, *Guide to the Study of American History*, § 16 e. A careful list of indexes and other aids to United States government publications will be found in AMERICAN STATISTICAL ASSOCIATION, *Publications*, VII (1900). Some account of the publications of the State Department appears in EUGENE SCHUYLER, *American Diplomacy*, 132–133. In THOMAS HUDSON MCKEE, *Reports of the Select and Special Committees, United States Senate*, and *Reports of Committees, United States House of Representatives* (both published at Washington, 1887), are lists of printed reports made by Committees on Foreign Relations from 1815 to 1887.

A few despatches and treaties, or extracts from despatches and treaties, are reprinted in the special collections made for the use of schools and colleges. Thus in HART AND CHANNING, *American History Leaflets*, appear correspondence on Cuba (No. 2); Monroe Doctrine (No. 4); Bering Sea Controversy (No. 6); Colonial Wars (Nos. 7, 14); Navigation Acts (No. 19); Isthmus Canal (No. 34). WILLIAM MACDONALD, in his *Select Charters* and *Select Documents*, prints a few treaties. Many useful documents appear in the annuals, especially the *American Annual Cyclopædia* (New York, 1861–cont.).

BEN. PERLEY POORE, *Descriptive Catalogue of the Government Publications of the United States, 1774–1881* (Washington, 1885). — The official government guide to all documents; so poorly indexed as to be of little service. From 1881 to the present day it is supplemented by the following publications by a competent indexer:

JOHN G. AMES, *Comprehensive Index, 1881–1889* (in preparation).

JOHN G. AMES, *Comprehensive Index of the Publications of the United States Government, 1889–1893* (Washington, 1894).

JOHN G. AMES, *Catalogue of the Public Documents of the Government of the United States* (3 vols. published, Washington, 1896–1899). — Covers the period 1893–1897; still in progress.

There are three indispensable official collections of diplomatic materials, viz.:

*FRANCIS WHARTON, *Digest of the International Law of the United States, taken from Documents issued by Presidents and Secretaries of State, and from Decisions of Federal Courts and Opinions of Attorneys-General* (3 vols., Washington, 1886; 2d ed., no alteration of plates, 1887). — This series gives quotations, often several pages in extent, from printed (and occasionally unprinted) materials in the State Department, arranged under classified headings; it is of the utmost service to the student of

American diplomacy. A reorganized edition is promised for 1902 under the efficient and thorough editorship of John Bassett Moore.

*JOHN BASSETT MOORE, *History and Digest of the International Arbitrations to which the United States has been a Party, together with Appendices containing the Treaties relating to such Arbitrations, and Historical and Legal Notes on other International Arbitrations Ancient and Modern, and on the Domestic Commissions of the United States for the Adjustment of International Claims* (6 vols., Washington, 1898). — Although by its title limited to a discussion of questions which have involved some form of international arbitration, as a matter of fact nearly all the great controversies between the United States and other powers are here set forth in authentic narrative, fortified with abundant citations. Hundreds of cases are summarized; hundreds of others are referred to. The book is the largest single contribution ever made to the knowledge of American foreign affairs.

*JAMES D. RICHARDSON, compiler, *A Compilation of the Messages and Papers of the Presidents, 1789–1897* (10 vols., Washington, 1896–1899). — This set contains the annual and the occasional messages of the presidents, including a vast amount of material on foreign affairs. It is expected to be ultimately obtainable from the government at cost.

Of much service to the student of diplomacy are several official compendiums, prepared for the guidance of diplomatic officials, of which the following are the most important:

Compilation of Reports of Committee on Foreign Relations, United States Senate, 1789–1901 (Senate Executive Documents, 56 Cong., 2 sess., No. 231, eight parts).

Instructions to the Diplomatic Officers of the United States (Washington, 1897).

Regulations prescribed for the Use of the Consular Service of the United States (Washington, 1896).

C. Cases in International Law.

One of the principal sources of international law is the adjudications of courts, which often decide diplomatic controversies or contain historical summaries of international relations. In the United States, both state and federal courts make decisions based on international law; but the decisions of the Circuit Courts and of the Supreme Court of the United States, are most likely to deal with public law; and they alone can finally construe federal treaties or statutes if their validity is contested. Cases may be traced through the ordinary digests, and also through footnotes to treatises on international law. Lists of cases, English and American, may be found in T. A. WALKER, *Science of International Law*, pp. xiii–xv; J. B. MOORE, *History and Digest of International Arbitrations*, I, lxiii–lxxii.

The texts of the federal decisions are to be found in three series of collected cases:

(1) Early Cases in Inferior Courts

[1789–1880], *Federal Cases, comprising Cases argued and determined in the Circuit and District Courts of the United States from the Colonial Times to the Beginning of the Federal Reporter* (30 vols., with table of cases and *Digest*, St. Paul, 1894–1898). — Over 18,000 cases, arranged alphabetically by cases. Valuable appendix to Vol. XXX, on Federal Judges.

[1863–cont.], *Cases decided in the Court of Claims of the United States, with abstract of Decisions of the Supreme Court in Appeals Cases* (35 vols. to 1900, and Digest to 1875, Washington, 1867–cont.).

(2) Later Cases in Inferior Courts

[1891–1899], *United States Courts of Appeals, Reports. Cases adjudged in the United States Circuit Courts of Appeals* (63 vols., New York, etc., 1893–1898). — Official edition; paralleled to 1899 and continued by the next title.

[1891–cont], *United States Circuit Courts of Appeals. Reports with Annotations* (49 vols. to 1901, St. Paul, 1891 ?–cont.).

The Federal Reporter: Cases argued and determined in the Circuit Courts of Appeals and

Circuit and District Courts of the United States (108 vols. and three *Digests*, to July, 1901, St. Paul, 1880–). — A continuing publication issued in fascicles every few months parallels the two previous titles.

(3) Supreme Court Cases

**United States Reports, Supreme Court* (180 vols. to 1900). — Till 1882 published under the names of the official collectors or reporters.

[1781–1800], Dallas (4 vols., Philadelphia, 1790–1808).

[1801–1815], Cranch (9 vols., Washington, 1804–1817).

[1816–1827], Wheaton (12 vols., New York, 1816–1827).

[1828–1842], Peters (16 vols., Philadelphia, 1828–1843).

[1843–1860], Howard (24 vols., Philadelphia, 1843–1860).

[1861–1862], Black (2 vols., Washington, 1862–1863).

[1863–1874], Wallace (23 vols., Washington, 1870–1876).

[1875–1882], Otto (17 vols., Boston, 1876–1883); also bears the title *United States Reports, Vols. 91–107.*

[1882–], *United States Reports* reported by J. C. Bancroft Davis (New York, etc., 1884–).

A parallel edition is published in an annual volume (at first two volumes a year) under the title:

[1882–], *Supreme Court Reporter, Cases argued and determined in the United States Supreme Court* (21 vols. to 1900, St. Paul, 1883–cont.). A second parallel edition is now suspended.

Particular questions in international law, and the historical accounts of episodes included in the judges' opinions, may be found through the various digests of cases, and especially through the following works:

[1658–1896], *The Century Edition of the American Digest. A complete Digest of all reported American Cases from the earliest Times to* 1896 (27 vols. to 1901, St. Paul, 1899–). — Especially Vol. 28, "International Law."

WALTER MALINS ROSE, *Notes on the United States Reports: a brief Chronological Digest of all Points determined in the Decisions of the Supreme Court, with Notes showing the influence, following, and present authority of each case as disclosed by the citations* (12 vols., San Francisco, 1899–1901). — Sums up the later attitude of the courts on each decision, and the principles involved, down to 1898.

Though without authority as decisions in contested cases, the official opinions (beginning in 1791) drawn up for the guidance of the Presi-

dent or heads of departments are of much weight as historical documents and as the conclusions of trained lawyers; the title is:

Official Opinions of the Attorneys-General of the United States (22 vols. to 1900, Washington, 1852–cont.).

Of the five following collections of select cases, the first three include some important cases defining foreign powers. The last two are special, and are important aids to the study of American diplomacy.

JAMES BRADLEY THAYER, *Cases in Constitutional Law, with notes* (2 vols., Cambridge, 1894–1895). — A most admirable selection, by a great constitutional lawyer.

CARL EVANS BOYD, *Cases on American Constitutional Law* (Chicago, 1898). — Practically a selection from THAYER'S *Cases.*

EMLIN MCCLAIN, *Cases on Constitutional Law* (Boston, 1900). An independent collection of about 1000 pages.

*FREEMAN SNOW, *Cases and Opinions on International Law, with Notes and a Syllabus* (Boston, 1893). — Notes very few; syllabus at pp. xiii–xl; cases convenient and to the point.

PITT COBBETT, *Leading Cases and Opinions on International Law collected and digested from English and Foreign Reports . . . and other Sources; with Notes and Excursus, containing the Views of the Text Writers on the Topics re-*

ferred to, together with Supplementary Cases, Treatises, and Statutes (2d ed., London, 1892).

D. American Official Correspondence.

The United States government has published seven different series of diplomatic correspondence. Upon the character and history of these collections see JUSTIN WINSOR, *Reader's Handbook of the American Revolution, 1761–1783* (Boston, 1880), and *Narrative and Critical History of America*, VII, 294, VIII, 414.

(1) JARED SPARKS, editor, *The Diplomatic Correspondence of the American Revolution* (12 vols., Boston, 1829–1830). — Includes despatches to and from our foreign representatives from 1776 to 1783; and also the correspondence of the French ministers with Congress.

(2) FRANCIS WHARTON, editor, *The Revolutionary Diplomatic Correspondence of the United States* (6 vols., Washington, 1889). — This contains substantially the material of the Sparks edition, with many additions, and is arranged chronologically.

(3) *The Diplomatic Correspondence of the United States of America, from the Signing of the Definitive Treaty of Peace, 10th September, 1783, to the Adoption of the Constitution, March 4, 1789* (7 vols., Washington, 1833–1834; reprinted in 3 vols., 1837). — This correspondence is arranged on about the plan of SPARKS's *Correspondence*.

(4) THOMAS B. WAIT, editor, *State Papers and*

Publick Documents of the United States, . . . exhibiting a Complete View of our Foreign Relations (12 vols., Boston, 1815–1819). — This series extends from 1789 to 1818, and is practically superseded by the *American State Papers, Foreign.*

(5) WALTER LOWRIE AND MATTHEW ST. CLAIR CLARKE, editors, *American State Papers; Documents, Legislative and Executive, of the Congress of the United States; Class I, Foreign Relations* (6 vols., Washington, 1832–1859). — This series is a reprint of correspondence submitted at various times to Congress. It is extremely well arranged and indexed, and covers the period from 1789 to 1828.

(6) Between 1828 and 1860 there was no systematic collection, and the very important diplomatic correspondence is scattered through the executive documents. The president in many special messages refers to particular correspondence, which may be traced through RICHARDSON'S *Messages of the Presidents.* The main official collections during this period are the following:

1835: House Doc., 24 Cong., 1 sess., Vol. I, No. 2.

1836: Senate Doc., 24 Cong., 2 sess., Vol. I, No. 1.

1837: Senate Doc., 25 Cong., 2 sess., Vol. I, No. 1; House Doc., 25 Cong., 2 sess., Vol. I, No. 3.

1838: Senate Doc., 25 Cong., 3 sess., Vol. I, No. 2; House Doc., 25 Cong., 3 sess., Vol. I, No. 2.

1839: None.

1840: None.

1841: Senate Doc., 27 Cong., 2 sess., Vol. I, No. 1; House Doc., 27 Cong., 2 sess., Vol. I, No. 2.

1842: Senate Doc., 27 Cong., 3 sess., Vol. I, No. 1; House Doc., 27 Cong., 3 sess., Vol. I, No. 2.

1843: Senate Doc., 28 Cong., 1 sess., Vol. I, No. 1; House Doc., 28 Cong., 1 sess., Vol. I, No. 1.

1844: Senate Doc., 28 Cong., 2 sess., Vol. I, No. 1; House Doc., 28 Cong., 2 sess., Vol. I, No. 2.

1845: Senate Doc., 29 Cong., 1 sess., Vol. I, No. 1; House Doc., 29 Cong., 1 sess., Vol. I, No. 2.

1846: Senate Doc., 29 Cong., 2 sess., Vol. I, No. 1; House Doc., 29 Cong., 2 sess., Vol. I, No. 4.

1847: Senate Doc., 30 Cong., 1 sess., Vol. I, No. 1.

1848: House Ex., 30 Cong., 2 sess., Vol. I, No. 1, pt. 1.

1849: House Ex., 31 Cong., 1 sess., Vol. III, pt. 1, No. 5, pt. 1.

1850: None.

1851: Senate Ex., 32 Cong., 1 sess., Vol. I, No. 1, pt. 1; House Ex., 32 Cong., 1 sess., Vol. II, pt. 1, No. 2, pt. 1.

1852: None.

1853: Senate Ex., 33 Cong., 1 sess., Vol. I, No. 1, pt. 1; House Ex., 33 Cong., 1 sess., Vol. I, pt. 1, No. 1, pt. 1.

1854: Senate Ex., 2 sess., Vol. I, No. 1, pt. 1; House Ex., 33 Cong., 2 sess., Vol. 1, No. 1, pt. 1.

1855: Senate Ex., 34 Cong., 1 sess., Vol. I, No. 1, pt. 1; House Ex., 34 Cong., 1 sess., Vol. I, pt. 1, No. 1, pt. 1.

1856: Senate Ex., 34 Cong., 3 sess., Vol. II, No. 5, pt. 1; House Ex., 34 Cong., 3 sess., Vol. I, pt. 1, No. 1, pt. 1.

1857: Senate Ex., 35 Cong., 1 sess., Vol. II, No. 2, pt. 1; House Ex., 35 Cong., 1 sess., Vol. II, pt. 1, No. 2, pt. 1.

1858: Senate Ex., 35 Cong., 2 sess., Vol. I, No. 1, pt. 2; House Ex., 35 Cong., 2 sess., Vol. II, pt. 1, No. 2, pt. 1.

1859: Senate Ex., 36 Cong., 1 sess., Vol. I, No. 2, pt. 1.

1860: None.

(7) *Papers Relating to the Foreign Relations of the United States* (Washington, 1861–cont.). — From 1861 to 1868 designated as "*Diplomatic Correspondence*"; since 1870, as "*Foreign Relations.*" — This is an annual volume or volumes

containing important extracts from the diplomatic correspondence of the preceding twelve months, sent to Congress with the president's annual message. The series is very far from containing all the correspondence that has been sent to Congress in print: some of the most important communications on Cuba, the Isthmus Canal, the Hay, the Bulwer treaty, and the Spanish war, will be found in separate publications. One volume has appeared in each year, except as follows: 1863, two volumes; 1864, four volumes; 1865, four volumes; 1866, three volumes; 1867, two volumes; 1868, two volumes; 1869, none published; 1872, six volumes; 1873, three volumes; 1875, two volumes; 1888, two volumes; 1894, three volumes; 1895, two volumes.

Titles of a few of the especially important reports and collections are the following:

Documents Relating to Interoceanic Canals (Senate Documents, 55 Cong., 3 sess., No. 26, Washington, 1898).

Franco-German War. Correspondence of E. B. Washburne (Senate Executive Documents, 45 Cong., 2 sess., No. 24, Washington, 1878).

Letter from the Secretary of State to Chairman of Senate Committee on Foreign Relations, relative to Extraterritorial Rights (Senate Miscellaneous Documents, 47 Cong., 1 sess., No. 89, Washington, 1882).

Papers relating to the War in South America (Senate Executive Documents, 47 Cong., 1 sess., No. 79, Washington, 1882).

Report on Extraterritorial Crime and the Cutting Case (Washington, 1887).

The New York Public Library is now preparing an index under the direction of A. R. Hasse, to all the published diplomatic correspondence from 1789 to 1901.

The following series should also be mentioned: *United States Consular Reports* (Washington, 1880–). — Since 1880 the State Department has published a series of reports from foreign consuls on a great variety of subjects, chiefly commercial. They of course contain little or no material on diplomatic relations. A list of these reports to 1890 is printed in JOHN G. AMES, *Finding List*, 100.

E. Foreign Official Correspondence.

On the colonial period the only available and useful collections are the following:

Calendar of State Papers, Colonial Series, America and West Indies (8 vols. to 1899, London, 1860–). — This series, still in progress, now reaches from 1574 to 1688. It states the substance of papers, and prints some extracts. It is of the greatest service in the study of diplomacy relating to the colonies. There are similar *Calendars* on Spanish affairs from 1455 to 1603, and on Venetian archives.

EDMUND BAILEY O'CALLAGHAN AND BERTHOLD FERNOW, editors, *Documents Relative to the Colonial History of the State of New-York* (15 vols., Albany, 1856–1887). — Contains many pieces on the relations of the French and English colonies.

On the federal period there are three series of foreign annual publications of state papers, intended primarily for the use of diplomats and consuls of the respective countries:

Archives Diplomatiques, Recueil de Diplomatie et d'Histoire (70 vols. to 1899, Paris, 1861–). — All in French, or translated into French; many treaties and other documents of periods before 1861, some as far back as A.D. 1400.

**British and Foreign State Papers, compiled by the Librarian and Keeper of the Papers, Foreign Office* (90 vols. to 1900, London, 1841–). — Contains treaties, constitutions, and documents, chiefly in English, from 1812 onward; includes large parts of the official correspondence sent by the President of the United States to Congress, and scattered through the Congressional documents. A very useful publication.

Das Staatsarchiv: Sammlung der Officiellen Actenstücke zur Geschichte der Gegenwart (43 vols. to 1898, Hamburg, 1861–). — In English, French, or German, as the case may be.

The diplomatic correspondence of foreign

countries is usually published in collections made up when negotiations have been completed. For the diplomatic history of the United States by far the most important of such series is the "Blue Books," issued from time to time by the English government. These are included in the annual "Parliamentary Papers," and particular correspondence is easily reached through the single index to the whole series of papers issued in any one year.

A rich field for statement of fact and for contemporary opinion in international questions is found in the debates of various legislative assemblies. For the United States the four series: *Annals of Congress*, from 1789 to 1824; *Register of Debates in Congress*, from 1824 to 1837; *Congressional Globe*, from 1833 to 1873; *Congressional Record*, from 1873 to the present time. The English point of view in: *Parliamentary History of England*, from 1066 to 1803; *The Parliamentary Debates*, from 1803 to date.

F. American Private Correspondence and Memoirs.

The literature of American history is very rich in biographies containing correspondence, and in the collected works of statesmen, but deficient in diaries and autobiographies of diplomats. The first two of these categories are set forth in CHANNING AND HART, *Guide*, § 25 (biographies), § 32 (works of American statesmen). The most important contributions of this sort to the history of American diplomacy are the lives

and works of John Adams, John Quincy Adams, Joel Barlow, James G. Blaine, James Buchanan, John C. Calhoun, Lewis Cass, Henry Clay, Thomas Corwin, Alexander J. Dallas, Silas Deane, Daniel S. Dickinson, Edward Everett, Hamilton Fish, John Forsyth, Benjamin Franklin, Albert Gallatin, Elbridge Gerry, Alexander Hamilton, Sam Houston, Thomas Hutchinson, Ralph Izard, Rufus King, John Jay, Thomas Jefferson, Abbott Lawrence, William Lee, Francis Lieber, Abraham Lincoln, Edward Livingston, James Madison, William L. Marcy, George P. Marsh, John Marshall, James Monroe, Gouverneur Morris, John L. Motley, William Penn, Timothy Pickering, William Pinkney, Joel R. Poinsett, James K. Polk, Edmund Randolph, John Randolph, William H. Seward, Jared Sparks, Charles Sumner, John Tyler, Martin Van Buren, George Washington, Daniel Webster, Francis Wharton.

There is a diary of James K. Polk still in manuscript; but almost the only printed diaries or autobiographies which are of service are the following:

JOHN ADAMS, *Works, with a Life of the Author* (10 vols., Boston, 1856). — Diary in Vols. II and III.

JOHN QUINCY ADAMS, *Memoirs, comprising portions of his Diary from 1795 to 1848* (12 vols., Philadelphia, 1874–1877). — An invaluable rec-

ord on most of the diplomatic questions from 1809 to 1845.

GEORGE M. DALLAS, *A Series of Letters from London, written during the Years 1856–1860* (2 vols. in one, Philadelphia, 1869).

JAMES MONROE, *A View of the Conduct of the Executive in Foreign Affairs, 1794–1796* (Philadelphia, 1797).

GOUVERNEUR MORRIS, *The Diary and Letters of Gouverneur Morris* (2 vols., New York, 1888).

JOHN G. NICOLAY AND JOHN HAY, *Abraham Lincoln: a History* (10 vols., New York, 1890). — Contains so many extracts from narratives of diplomatic events as to deserve special mention.

RICHARD RUSH, *Memoranda of a Residence at the Court of London*, 1817–1819 (Philadelphia, 1833). Second series, 1819–1825 (Philadelphia, 1845); also edited by BENJAMIN RUSH, under the title *The Court of London, 1819–1825* (London, 1873). — Chiefly on the Monroe Doctrine.

WADDY THOMPSON, *Recollections of Mexico* (New York, 1846). — On his experiences as United States minister.

The only French diplomats who published their experiences in America, except in the official collections, were:

G. Foreign Private Correspondence and Memoirs.

ADOLPHE DE BACOURT, *Souvenirs d'un Diplomate: Lettres Intimes sur l'Amérique* (Paris, 1882).

HYDE DE NEUVILLE, *Mémoires et Souvenirs* (3 vols., Paris, 1888–1892).

The English memoirs and biographies containing correspondence are very numerous; some of them are mentioned in T. A. WALKER, *Science of International Law*, pp. vii–xvi. A few which have especial significance for American relations are the following:

EVELYN ASHLEY, *Life of Henry John Temple, Viscount Palmerston, 1846–1865* (2d ed., 2 vols., London, 1876). — Continuation of the preceding.

EDWARD PELHAM BRENTON, *Life and Correspondence of John, Earl of St. Vincent* (2 vols., London, 1838). — On the first stage of the Napoleonic wars.

SIR HENRY LYTTON BULWER and EVELYN ASHLEY, *Life of Henry John Temple, Viscount Palmerston* (3d ed., 3 vols., London, 1871–1874). — Covers the period 1784–1846.

ROBERT STEWART, VISCOUNT CASTLEREAGH, SECOND MARQUESS OF LONDONDERRY, *Memoirs and Correspondence* (12 vols., London, 1851–1853).

W. BODHAM DONNE, editor, *Correspondence of George the Third with Lord North, 1768 to 1783* (2 vols., London, 1867). — Very important for the negotiations of 1782.

LORD EDMOND FITZMAURICE, *Life of Shelburne* (3 vols., London, 1875–1876).

G. H. FRANCIS, *Opinions and Policy of Lord Palmerston* (London, 1852).

CAPTAIN BASIL HALL, *Fragments of Voyages and Travels, including Anecdotes of a Naval Life* (2 vols., Philadelphia, 1831). — On captures of neutral vessels.

LADY JACKSON, editor, *Sir George Jackson: The Bath Archives; a Further Selection from Diaries and Letters from 1809 to 1816* (2 vols., London, 1873). — On F. J. Jackson's mission to the United States, in 1809.

ANDREW LANG, *Life, Letters and Diaries of Sir Stafford Northcote* (2d ed., 2 vols., Edinburgh, 1890).

CHARLES VANE, MARQUESS OF LONDONDERRY, *Memoirs and Correspondence of Viscount Castlereagh, Second Marquess of Londonderry* (4 vols., London, 1850).

JAMES HARRIS, EARL OF MALMESBURY, *Diaries and Correspondence, containing an Account of his Missions* (2d ed., 4 vols., London, 1845).

JAMES HOWARD HARRIS, EARL OF MALMESBURY, *Memoirs of an Ex-Minister, an Autobiography, 1814–1869* (2d ed., 2 vols., London, 1884).

ROBERT ROUIERE PEARCE, *Memoirs and Correspondence of Richard, Marquess Wellesley* (3 vols., London, 1846).

SIR THOMAS WEMYSS REID, *Life of the Right Honorable William Edward Forster* (4th ed., 2 vols., London, 1888).

JOHN, EARL RUSSELL, editor, *Memorials and*

Correspondence of Charles James Fox (4 vols., London, 1853–1857).

JOHN, EARL RUSSELL, *Recollections and Suggestions, 1813–1873* (London, 1875).

ROUNDELL PALMER, EARL OF SELBORNE, *Memorials* (2 vols., London and New York, 1898).

PHILIP HENRY, EARL STANHOPE, *Life of the Right Honourable William Pitt* (4 vols., London, 1861–1862).

AUGUSTUS GRANVILLE STAPLETON, *George Canning and his Times* (London, 1859).

EDWARD J. STAPLETON, editor, *Some Official Correspondence of George Canning, 1821–1827* (2 vols., London, 1887). — Essential on the Monroe doctrine.

WILLIAM STANHOPE TAYLOR, Esq., and CAPT. JOHN HENRY PRINGLE, *Correspondence of William Pitt, Earl of Chatham* (4 vols., London, 1840).

PERCY M. THORNTON, *Foreign Secretaries of the Nineteenth Century* (3 vols., London, 1881–1882).

SPENCER WALPOLE, *The Life of Lord John Russell* (2d ed., 2 vols., London, 1889).

CHARLES DUKE YONGE, *The Life and Administration of Robert Banks, Second Earl of Liverpool, K. G., Late First Lord of the Treasury* (3 vols., London, 1868). — Compiled from official documents.

The manuscript official files of the govern-

ment, including instructions, despatches to and from ministers and consuls, claims against foreign governments, reports on boundaries, records of commissions, etc., are stored in the archives of the State Department in Washington, where are also many of the public and private papers of Washington, Franklin, Jefferson, Madison, Monroe, and some other American statesmen. Calendars of several important collections have now been printed by the Department. The use of these archives must of course be very carefully guarded, and none but persons properly accredited are admitted; and even from them materials which would affect pending negotiations or rouse international ill-feeling are carefully withdrawn. See EUGENE SCHUYLER'S *American Diplomacy*, 38–40; JUSTIN WINSOR, *Narrative and Critical History*, VIII.

H. Manuscript Archives.

Foreign manuscript collections relative to American history and relations are described at much length in JUSTIN WINSOR, *Narrative and Critical History*, VIII, 459–468.

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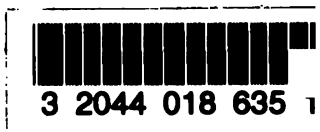
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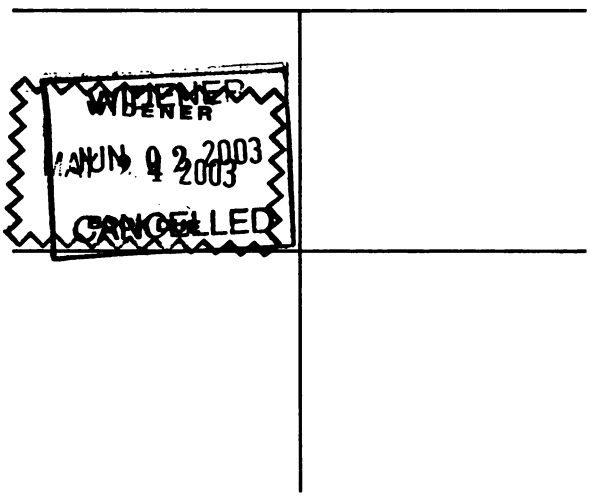

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